

# ALL THE YEAR ROUND.

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## VERY HARD CASH.

BY THE AUTHOR OF "IT IS NEVER TOO LATE TO MEND."

### CHAPTER LVII.

JUST before noon next day, on board the *Vulture*, the bell on which the half-hours are struck was tolled slowly to collect the ship's company; and soon the gangways and booms were crowded, and even the yards were manned with sailors, collected to see their shipmate committed to the deep. Next came the lieutenants and midshipmen and stood reverently on the deck: the body was brought and placed on a grating. Then all heads being uncovered below and aloft, the chaplain read the solemn service of the dead.

Many tears were shed by the rough sailors, the more so that to most of them, though not to the officers, it was now known that poor Billy had not always been before the mast, but had seen better days, and commanded vessels, and saved lives; and now he had lost his own.

The service is the same as ashore, with this exception: that the words "We commit his body to the ground, ashes to ashes, dust to dust, &c.," are altered at sea, thus: "We commit his body to the deep, to be turned into corruption, looking for the resurrection of the body, when the sea shall give up her dead, and the life of the world to come." At these words the body is allowed to glide off the grating into the sea. The chaplain's solemn voice drew near those very words, and the tears of pity fell faster; and Georgie White, an affectionate boy, sobbed violently, and shivered beforehand at the sullen plunge that he knew would soon come, and then he should see no more poor Billy who had given his life for his.

At this moment the captain came flying on deck, and jumping on to a gun, cried sharply, "Avast! Haul that body aboard."

The sharp voice of command cut across the solemn words and tones in the most startling way. The chaplain closed his book with a look of amazement and indignation: the sailors stared, and for the first time did not obey an order. To be sure it was one they had never heard before. Then the captain got angry, and repeated his command louder; and the body was almost jerked in board.

"Carry him to my cabin; and uncover his face."

By this time nothing could surprise Jackey Tar. Four sailors executed the order promptly. "Bosen, pipe to duty."

While the men were dispersing to their several stations, Captain Bazalgette apologised to the chaplain, and explained to him and to the officers. But I give his explanation in my own words. Finding the ship quiet, the purser went to the captain down below, and asked him coolly what entry he should make in the ship's books about this William Thompson, who was no more William Thompson than he was. "What do you mean?" said the captain. Then the purser told him that Thompson's messmates, in preparing him last night for interment, had found a little bag round his neck, and inside it a medal of the Humane Society, and a slip of paper written on in a lady's hand; then they had sent for him; and he had seen at once that this was a mysterious case: this lady spoke of him as her husband, and skipper of a merchant vessel.

"What is that?" roared the captain, who hitherto had listened with scarce half an ear.

"Skipper of a merchant vessel, sir, as sure as you command her Majesty's frigate *Vulture*: and then we found his shirt marked with the same name as the lady's."

"What was the lady's name?"

"Lucy Dodd; and David Dodd is on the shirt."

"Why didn't you tell me this before?" cried the captain.

"Didn't know it till last night."

"Why it is twelve o'clock. They are burying him."

"Yes, sir."

"Lucy would never forgive me," cried the captain. And to the purser's utter amazement he clapped on his cocked-hat, and flew out of the cabin on the errand I have described.

He now descended to the cabin and looked: a glance was enough: there lay the kindly face that had been his friend man and boy.

He hid his own with his hands, and moaned. He cursed his own blindness and stupidity in not recognising that face among a thousand. In this he was unjust to himself. David had never looked *himself* till now.

He sent for the surgeon, and told him the whole sad story: and asked him what could be done. His poor cousin Lucy had more than

once expressed her horror of interment at sea. "It is very hot," said he; "but surely you must know some way of keeping him till we land in New Zealand: curse these flies; how they bite!"

The surgeon's eyes sparkled; he happened to be an enthusiast in the art of embalming. "Keep him to New Zealand?" said he, contemptuously. "I'll embalm him so that he shall go to England looking just as he does now—by-the-by, I never saw a drowned man keep his colour so well before—ay, and two thousand years after that, if you don't mind the expense."

"The expense! I don't care if it cost me a year's pay. I think of nothing but repairing my blunder as far as I can."

The surgeon was delighted. Standing over his subject, who lay on the captain's table, he told that officer how he should proceed. "I have all the syringes," he said; "a capital collection. I shall inject the veins with care and patience; then I shall remove the brain and the viscera, and provided I'm not stinted in arsenic and spices——"

"I give you carte blanche on the purser: make your preparations, and send for him. Don't tell me how you do it; but do it. I must write and tell poor Lucy I have got him, and am bringing him home to her—dead."

The surgeon was gone about a quarter of an hour; he then returned with two men to remove the body, and found the captain still writing his letter, very sorrowful: but now and then slapping his face or leg with a hearty curse as the flies stung him.

The surgeon beckoned the men in softly, and pointed to the body, for them to carry it out.

Now, as he pointed, his eye following his finger, fell on something that struck that experienced eye as incredible: he uttered an exclamation of astonishment so loud, that the captain looked up directly from his letter; and saw him standing with his finger pointing at the corpse, and his eyes staring astonishment. "What now?" said the captain, and rose from his seat.

"Look! look! look!"

The captain came and looked, and said he saw nothing at all.

"The fly; the fly!" cried the surgeon.

"Yes, I see one of them has been biting him; for there's a little blood trickling. Poor fellow."

"A dead man can't bleed from the small veins in his skin," said the man of art. "He is alive, captain, he is alive, as sure as we stand here, and God's above. That little insect was wiser than us; he is alive."

"Jackson, don't trifle with me, or I'll hang you at the yard-arm. God bless you, Jackson. Is it really possible? Run some of you, get a mirror, I have heard that is a test."

"Mirror be hanged. Doctor Fly knows his business."

All was now flutter and bustle: and various attempts were made to resuscitate David, but all in vain. At last the surgeon had an idea. "This man was never drowned at all," said he: "I am

sure of it. This is catalepsy. He may lie this way for a week. But dead he is not. I'll try the douche." David was then by his orders stripped, and carried to a place where they could turn a watercock on him from a height: and the surgeon had soon the happiness of pointing out to the captain a slight blush on David's skin in parts, caused by the falling water. All doubt ceased with this: the only fear was lest they should shake out the trembling life by rough usage. They laid him on his stomach, and with a bellows and pipe so acted on the lungs, that at last a genuine sigh issued from the patient's breast. Then they put him in a warm bed, and applied stimulants; and by slow degrees the eyelids began to wink, the eyes to look more mellow, the respiration to strengthen, the heart to beat: "Patience, now," said the surgeon; "patience, and lots of air."

Patience was rewarded. Just four hours after the first treatment, a voice, faint but calm and genial, issued from the bed on their astonished ears, "Good morning to you all."

They kept very quiet. In about five minutes more the voice broke out again, calm and sonorous.

"WHERE IS MY MONEY? MY FOURTEEN THOUSAND POUNDS."

These words set them all looking at one another; and very much puzzled the surgeon: they were delivered with such sobriety and conviction. "Captain," he whispered, "ask him if he knows you."

"David," said the captain kindly, "do you know me?"

David looked at him earnestly, and his old kindly smile broke out. "Know ye, ye dog," said he, "why you are my cousin Reginald. And how came you into this thundering Bank? I hope you have got no money here. Ware land sharks!"

"We are not in a Bank, David; we are on board my ship."

"The deuce we are. But where's my money?"

"Oh, we'll talk about that by-and-by."

The surgeon stepped forward and said soothingly, "You have been very ill, sir. You have had a fit."

"I believe you are right," said David thoughtfully.

"Will you allow me to examine your eye?"

"Certainly, doctor."

The surgeon examined David's eye with his thumb and finger; and then looked into it to see how the pupil dilated and contracted.

He rubbed his hands after this examination; "More good news, captain!" then lowering his voice, "*Your friend is as sane as I am.*"

The surgeon was right. A shock had brought back the reason a shock had taken away. But how or why I know no more than the child unborn. The surgeon wrote a learned paper, and explained the whole most ingeniously. I don't believe one word of his explanation, and can't better it, so confine myself to the phenomena.

Being now sane, the boundary-wall of his memory was shifted. He remembered his whole life up to his demanding his cash back of Richard Hardie: and there his reawakened mind stopped dead short. Being asked if he knew William Thompson, he said, "Yes, perfectly. The man was a foretopman on board the *Agra*, and rather a smart hand. The ship being aground, he came out to sea on a piano: but we cut the hawser, and he got safe ashore." His recovered reason rejected with contempt as an idle dream all that had happened while that reason was in defect. The last phenomena I have to record were bodily; one was noted by Mr. Georgie White in these terms: "Billy's eyes used to be like a seal's: but now he is a great gentleman they are like yours and mine." The other was more singular: with his recovered reason came his first grey hair, and in one fortnight it was all as white as snow.

He remained a fortnight on board the *Vulture*, beloved by high and low. He walked the quarter-deck in the dress of a private gentleman, but looking like an admiral. The sailors touched their hats to him with a strange mixture of veneration and jocoseness. They called him among themselves Commodore Billy. He was supplied with funds by Reginald, and put on board a merchant ship bound for England. He landed, and went straight to Barkington. There he heard his family were in London. He came back to London, and sought them; a friend told him of Green; he went to him, and of course Green saw directly who he was. But able men don't cut business short; he gravely accepted David's commission to find him Mrs. Dodd. Finding him so confident, David asked him if he thought he could find Richard Hardie, or his clerk, Noah Skinner; both of whom had levanted from Barkington. Green, who was on a hot scent as to Skimmer, demurely accepted both commissions; and appointed David to meet him at a certain place at six.

He came; he found Green's man, who took him up-stairs, and there was that excited group determining the ownership of the receipt.

Now to David that receipt was a thing of yesterday. "It is mine," said he. They all turned to look at this man, with sober passionless voice, and hair of snow. A keen cry from Julia's heart made every heart there quiver, and in a moment she was clinging and sobbing on her father's neck. Edward could only get his hand and press and kiss it. Instinct told them Heaven had given them their father back mind and all.

Ere the joy and the emotion had calmed themselves, Alfred Hardie stepped out and ran like a deer to Pembroke-street.

Those who were so strangely reunited could not part for a long time, even to go down the stairs one by one.

David was the first to recover his composure: indeed, great tranquillity of spirit had ever since his cure been a remarkable characteristic of this man's nature. His passing mania seemed to

have burnt out all his impetuosity, leaving him singularly sober, calm, and self-governed.

Mr. Compton took the money and the will, and promised the executrix Skinner should be decently interred and all his debts paid out of the estate. He would look in at 66 by-and-by.

And now a happy party wended their way towards Pembroke-street.

But Alfred was beforehand with them: he went boldly up the stairs, and actually surprised Mrs. Dodd and Sampson together.

At sight of him she rose, made him a low curtsy, and beat a retreat. He whipped to the door, and set his back against it. "No," said he, saucily.

She drew back astonished, and the colour mounted in her pale face. "What, sir, would you detain me by force?"

"And no mistake," said the audacious boy. "How else can I detain you? when you hate me so?" She began to peep into his sparkling eyes to see the reason of this strange conduct.

"C'way from the door, ye vagabin," said Sampson.

"No, no, my friend," said Mrs. Dodd, trembling, and still peering into his sparkling eyes. "Mr. Alfred Hardie is a gentleman at all events: he would not take this liberty with me, unless he had some excuse for it."

"You are wonderfully shrewd, mamma," said Alfred, admiringly. "The excuse is I don't hate you as you hate me; and I am very happy."

"Why do you call me mamma to-day? Oh doctor, he calls me mamma."

"Th' audacious vagabin."

"No, no, I cannot think he would call me that unless he had some good news for us both?"

"What good news can he have, except that his trial is goin' well, and you don't care for that."

"Oh, how can you say so? I care for all that concerns him: he would not come here to insult my misery with his happiness. He is noble, he is generous, with all his faults. How dare you call me mamma, sir! Call it me again, my dear child: because then I shall *know* you are come to save my heart from breaking." And with this, the truth must be told, the stately Mrs. Dodd did fawn upon Alfred with palms outstretched and piteous eyes, and all the cajoling arts of her sex.

"Give me a kiss then, mamma," said the impudent boy, "and I *will* tell you a little bit of good news."

She paid the required tribute with servile humility and readiness.

"Well then," said Alfred, and was just going to tell her all, but caught sight of Sampson making the most expressive pantomime to him to be cautious. "Well," said he, "I have seen a sailor."

"Ah!"

"And he is sure Mr. Dodd is alive."

Mrs. Dodd lifted her hands to Heaven but could not speak. "In fact," said Alfred, hesitat-

ing (for he was a wretched hand at a fib), "he saw him not a fortnight ago, on board ship. But that is not all, mamma, the sailor says he has his reason."

Mrs. Dodd sank on her knees, and said no word to man, but many to the giver of all good. When she arose she said to Alfred, "Bring this sailor to me. I must speak with him directly."

Alfred coloured. "I don't know where to find him just now."

"Oh, indeed," said Mrs. Dodd quietly: and this excited her suspicion; and from that moment the cunning creature lay in wait for Master Alfred. She plied him with questions, and he got more and more puzzled how to sustain his story. At last, by way of bursting out of his own net, he said, "But I am sorry to say his hair has turned white. But perhaps you won't mind that."

"And he hadn't a grey hair."

"It is not grey, like the doctor's; it is white as the driven snow."

Mrs. Dodd sighed; then suddenly turning on Alfred, asked him, "Did the sailor tell you that?"

He hesitated a moment and was lost.

"You have seen him," she screamed; "he is in London: he is in the house. I feel him near me:" and she went into something very like hysterics. Alfred was alarmed, and whispered the truth. The doctor sent him off to meet them, and recommended caution; her nerves were in such a state a violent shock, even of happiness, might kill her.

Thus warned, Julia came into the room alone, and while Dr. Sampson was inculcating self-restraint for her own sake, she listened with a superior smile, and took quite a different line. "Mamma," said she, "he is in the town: but I dare not bring him here till you are composed: his reason is restored; but his nerves are not so strong as they were; now, if you agitate yourself you will agitate him, and will do him a serious mischief."

This crafty speech produced an incredible effect on Mrs. Dodd. It calmed her directly: or rather her great love gave her strength to be calm. "I will not be such a wretch," she said. "See, I am composed, quite composed. Bring me my darling, and you shall see how good I will be: there now, Julia, see how calm I am, quite calm. What, have I borne so much misery, with Heaven's help, and do you think I cannot bear this great happiness, for my dear darling's sake?"

On this they proposed she should retire to her room, and they would go for David.

"Think over the meeting, dear, dear mamma," said Julia, "and then you will behave well for his sake, who was lost to us and is found."

Husband and wife met alone in Mrs. Dodd's room. No eye, even of the children, ventured to witness a scene so strange, so sacred. We may try and imagine that meeting; but few of us can conceive it by the light of our narrow experience. Yet one or two there may be; the

world is so wide, and the adventures and emotions of our race so many.

One by one all were had up to that sacred room to talk to the happy pair. They found David seated calmly at his wife's feet, her soft hand laid on his white hair, lest he should leave her again: and they told him all the sorrow behind them; and he genial, and kindly as ever, told them all the happiness before them. He spoke like the master of the house, the father of the family, the friend of them all.

But with all his goodness he was sternly resolved to have his 14,000*l.* out of Richard Hardie. He had an interview with Mr. Compton that very night, and the lawyer wrote a letter to Mr. Hardie, saying nothing about the death of Skinner, but saying that his client, Captain Dodd, had recovered from Noah Skinner the receipt No. 17 for 14,010*l.* 12*s.* 6*d.*, and he was instructed to sue for it unless repaid immediately. He added Captain Dodd was mercifully restored, and remembered distinctly every particular of the transaction.

They all thought in their innocence that Hardie v. Hardie was now at an end. Captain Dodd could prove Alfred's soi-disant illusion to be the simple truth. But Compton let them know that this evidence had come too late. "What, may we not get up and say here is papa, and it is all true?" cried Julia, indignant.

"No, Miss Dodd, certainly not; our case is closed."

"But suppose I insist on doing it?"

"Then you will be put out of court, Miss Dodd."

"Much I care, Mr. Compton."

He smiled, but convinced them.

Well then they would all go as spectators, and pray that justice might prevail.

They did go: and all sat together to hear a matter puzzled over, which had David come one day earlier he would have set at rest for ever.

Dick Absalom was put in to prove that Alfred had put two sovereigns on the stumps for him to bowl if he could; and after him the defendant, Mr. Thomas Hardie, a mild, benevolent, weak, gentleman was put into the box, and swore the boy's father had come to him with story after story of the plaintiff's madness, and the trouble it would get him into: and so he had done for the best. His simplicity was manifest, and Saunders worked it ably. When Colt got hold of him, and badgered him, he showed something more than simplicity. He stuttered, he contradicted himself, he perspired, he all but wept.

Colt.—Are you sure you had no spite against him?

Deft.—No.

Colt.—You are not sure, eh?

This candid interpretation of his words knocked him stupid. He made no reply, but looked utterly flabbergasted.

Colt.—Did he not provoke you? Did he not call you an idiot?



Deft.—He might.

Colt (satirically).—Of course he might. (Laughter). But did he?

Deft. (plucking up a little spirit).—No. He called me *SOFT TOMMY*.

This revelation, and the singular appropriateness of the nickname, were so highly relished by an intelligent audience, that it was a long time before the trial could go on for roars. The plaintiff's ringing laugh was heard among the rest.

The cross-examination proceeded in this style till the defendant began to drivel at the mouth a little. At last, after a struggle, he said, with a piteous whine, that he could not help it: he hated signing his name; some mischief always came of it; but this time he had no option.

"No option?" said Colt. "What do you mean?"

And with one or two more turns of the screw, out came this astounding revelation:

"Richard said if I didn't put Taff in one, *he* would put *me* in one."

The Judge.—In one what?

Deft. (weeping bitterly).—In one madhouse, my lord.

In the peal that followed this announcement, Colt sat down grinning. Saunders rose smiling. "I am much obliged to the learned counsel for making my case," said he: "I need not prolong the sufferings of the innocent. You can go down, Mr. Hardie."

The Judge.—Have you any defence to this action?

"Certainly, my lord."

"Do you call Richard Hardie?"

"No, my lord."

"Then you had better confine yourself to the question of damages."

The sturdy Saunders would not take the hint: he replied upon the whole case, and fought hard for a verdict. The line he took was bold; he described Richard Hardie as a man who had acquired a complete power over his weaker brother: and had not only persuaded him by statements, but even compelled him by threats, to do what he believed would be the salvation of his nephew. Will you imitate the learned counsel's cruelty? Will you strike a child? In short, he made a powerful appeal to their pity, while pretending to address their judgments.

Then Colt rose like a tower, and assuming the verdict as certain, asked the jury for heavy damages. He contrasted powerfully the defendant's paltry claim to pity with the anguish the plaintiff had undergone. He drew the wedding party, the insult to the bride, the despair of the kidnapped bridegroom; he lashed the whole gang of conspirators concerned in the crime, regretted that they could only make one of all these villains smart, but hinted that Richard and Thomas Hardie were in one boat, and that heavy damages inflicted on Thomas would find the darker culprit out. He rapped out Mr. Cowper's lines on liberty, and they were new to the jury, though to nobody else: he warned them

that all our liberties depended on *them*. "In vain," said he, "have we beheaded one tyrant, and banished another, to secure those liberties, if men are to be allowed to send away their own flesh and blood into the worst of all prisons for life and not smart for it, in those lamentably few cases in which the law finds them out and lays hold of them." But it would task my abilities to the utmost, and occupy more time than is left me, to do anything like justice to the fluent fiery eloquence of Colt, Q.C., when he got a great chance like this. *Tonat, fulgurat, et rapidis eloquentiæ fluctibus cuncta proruit et proturbat.* Bursts of applause, that neither crier nor judge could suppress, bore witness to the deep indignation Britons feel when their hard-earned liberties are tampered with by power or fraud, in defiance of law; and when he sat down, the jury were ready to fly out at him with 5000*l.* in hand.

Then rose the passionless voice of "justice according to law." I wish I could give the very words. The following is the effect as I understood it. Lawyers forgive deficiencies!

"This is an important, but not a difficult case. The plaintiff sues the defendant under the law of England for falsely imprisoning him in a madhouse. The imprisonment is admitted, and the sufferings of the plaintiff not disputed. The question is, whether he was insane at the time of the act? Now, I must tell you, that in a case of this kind, it lies upon the defendant to prove the plaintiff's insanity, rather than on the plaintiff to prove his own sanity. Has the defendant overcome this difficulty? We have had from him hearsay and conjectures of respectable persons, but very little evidence. Illusion is the best proof of insanity: and a serious endeavour was certainly made to fasten an illusion on the plaintiff about a sum of 14,000*l.* But the proof was very weak, and went partly on an assumption that all error is hallucination: this is illusory, and would, if acted on, set one half the kingdom imprisoning the other half; and after all, they did not quite prove that the plaintiff was *in error*. They advanced no undeniable proof that Mr. Richard Hardie has not embezzled this 14,000*l.* I don't say it was proved on the other hand that he did embezzle that sum. Richard Hardie suing Alfred Hardie for libel on this evidence might possibly obtain a verdict: for then the burden of proof would lie on Alfred Hardie: but here it lies on those who say he is insane. The fact appears to be that the plaintiff imbibed a reasonable suspicion of his own father's integrity; it was a suspicion founded on evidence; imperfect, indeed, but of a high character as far as it went. There was a letter from Captain Dodd to his family, announcing his return with 14,000*l.* upon him, and, while as yet unaware of this letter, the plaintiff heard David Dodd accuse Richard Hardie of possessing improperly 14,000*l.*, the identical sum. At least, he swears to this, and as Richard Hardie was not called to contradict him, you are at liberty to suppose that Richard Hardie could not contra-

dict him on oath. Here, then, true or false, was a rational suspicion; and every man has a right to a rational suspicion of his neighbour, and even to utter it within due limits: and, if he overstep those, the party slandered has his legal remedy; and, if he omits his legal remedy, and makes an attempt of doubtful legality not to confute but to stifle the voice of reasonable suspicion, shrewd men will suspect all the more. But then comes a distinct and respectable kind of evidence for the defendant; he urges that the plaintiff was going to sign away his property to his wife's relations. Now, this was proved, and a draft of the deed put in and sworn to. This taken singly, has a very extraordinary look: still, you must consider the plaintiff's reasonable suspicion that money belonging to the Dodds had passed irregularly to the Hardies, and then the wonder is much diminished. Young and noble minds have in every age done these generous, self-denying, and delicate acts. The older we get, the less likely we are to be incarcerated for a crime of this character. But we are not to imprison youth and chivalry because we have outgrown them. To go from particulars to generals, the defendant, on whom the proof lies, has advanced hearsay and conjecture, and not put their originators into the box. And the plaintiff, on whom the proof does not lie, has advanced an overpowering amount of evidence that he was sane at the time of his incarceration: this was proved to demonstration by friends, strangers, and by himself." Here the judge analysed the testimony of several of the plaintiff's witnesses.

"As to the parties themselves, it is curious how they impersonated, so to speak, their respective lines of argument. The representative of evidence and sound reasoning, though accused of insanity, was clear, precise, frank, rational, and dignified in the witness-box. The party who relied on hearsay and conjecture, was as feeble as they are; he was almost imbecile, as you observed; and looking at both parties, it seems monstrous that the plaintiff should be the one confined as a lunatic, and the defendant allowed to run wild and lock up his intellectual superiors. If he means to lock them all up, who is safe? (Laughter.) The only serious question, I apprehend, is on what basis the damages ought to be assessed. The plaintiff's counsel has made a powerful appeal to your passions, and calls for vengeance. Now I must tell you you have no right to make yourselves ministers of vengeance, nor even to punish the defendant in a suit of the kind: still less ought you to strike the defendant harder than you otherwise would, in the vague hope of hitting indirectly the true mover of the defendant and the other puppets. Let me solemnly warn you against that unfortunate suggestion of the learned counsel's. If the plaintiff wants vengeance, the criminal law offers it. After benefiting by your verdict, he can still indict the guilty party or parties. Meanwhile he comes *here*, not

for vengeance, but for compensation, and restoration to that society which he is every way fitted to adorn. More than this—and all our sympathies—it is not for us to give him. But then the defendant's counsel went too far the other way. His client, he says, is next door to an idiot, and so, forsooth, his purse must be spared entirely. This is all very well if it could be done without ignoring the plaintiff and his just claim to compensation. If the defendant, instead of being weak-minded, were an idiot or a lunatic, it would protect him from punishment as a felon, but not for damages in a suit. A sane man is not to be falsely imprisoned by a lunatic without full compensation from the lunatic or his estate; à fortiori, he is not to be so imprisoned by a mere fool without just compensation. Supposing your verdict then to be for the plaintiff, I think vindictive damages would be unfair on this feeble defendant, who has acted recklessly, but under an error, and without malice or bad faith. On the other hand, nominal or even unsubstantial damages would be unjust to the plaintiff, and perhaps leave in some minds a doubt I am sure you do not entertain, as to the plaintiff's perfect sanity during the whole period of his life."

As soon as his lordship had ended, the foreman of the jury said their minds were quite made up long ago.

Si-lence in the court.

We find for the plaintiff, with damages three thousand five hundred pounds.

The verdict was received with some surprise by the judge, and all the lawyers, except Mr. Colt, and by the people with acclamation; in the midst of which Mr. Colt announced that the plaintiff had just gained his first class at Oxford. "I wish him joy," said the judge.

#### CHAPTER LVIII.

THE verdict was a thunder-clap to Richard Hardie; he had promised Thomas to bear him blameless. The Old Turks, into which he had bought at 72, were down to 71, and that implied a loss of five thousand pounds. On the top of all this came Mr. Compton's letter neatly copied by Coils: Richard Hardie was doubly and trebly ruined.

Then in his despair and hate he determined to baffle them all, ay, and sting the hearts of some of them once more.

He would give Peggy his last shilling; write a line to Alfred, another to Julia, assuring them he had no money, and they had killed him; and with that leave them both the solemn curse of a dying father, and then kill himself.

Not to be interrupted in his plan, he temporised with Mr. Compton; wrote that, if the Receipt was really signed by his agent, of course the loss must fall on him; it was a large sum, but he would sell out and do his best, in ten days from date. With this he went and bought a pistol, and at several chemists' shops a little essential oil of almonds: his plan was to take the poison, and if it killed without pain well and

good; but, if it tortured him, then he would blow his brains out at once.

He soon arranged his worldly affairs, and next day gave Peggy his 500*l.*, and told her she had better keep it for fear he should be arrested. He sent her on an errand to the other part of the town: then with his poison and the pistol before him on the table, wrote a brief but emphatic curse for his son, and Julia; and a line to Peggy to thank her for her fidelity to one so much older than herself, and to advise her to take a tobacconist's shop with his money: when he had done all this, he poured out the fragrant poison and tasted it.

Ere he could drink it, one of those quidnuncs, who are always interrupting a gentleman when he has important business on hand, came running in with all manner of small intelligence. Mr. Hardie put down the glass, and gave him short, sullen answers, in hopes he would then go away and let him proceed to business. And at last his visitor did rise and go. Mr. Hardie sat down with a sign of relief to his fragrant beverage.

Doesn't the door open, and this bore poke in his head. "Oh, I forgot to tell you: the Old Turks are going up to-day, like a shot." And with this he slammed the door again, and was off.

At this the cup began to tremble in the resolute wretch's hand. The Old Turks going up! He poured the poison back into the phial, and put it and the pistol, and all the letters, carefully into his pocket, and took a cab to the City.

The report was true; there was an extraordinary movement in the Old Turks. The Sultan was about to pay a portion of this loan, being at six per cent; this had transpired, and at four o'clock the Turks were quoted at 73. Mr. Hardie returned a gainer of 5000*l.* instead of a loser. And he locked up the means of death for the present.

And now an ordinary man would have sold out, and got clear of the fatal trap: but this was not an ordinary man: he would not sell a share that day. In the afternoon they rose to 74. He came home, unloaded his pistol, and made himself some brandy-and-water, and with a grim smile flavoured it with a few drops of the poison: that was a delicious tumbler. The Turks went up, up, up, to 82. Then he sold out, and cleared 49,000*l.*, and all in about ten days.

With this revived the habits of his youth; no more cheating: nothing could excuse that but the dread of poverty. He went to his appointment with Mr. Compton; asked to see the Receipt; said Yes; that was his form, and Skinner's handwriting; he had never personally received one farthing of the money; Skinner had clearly embezzled it: but that did not matter; of course, Captain Dodd must not lose his money. "Send your bill of costs in Hardie v. Hardie to me, Mr. Compton," said he, "they shall not be taxed: you have lost enough by me already."

There was an air of dignity and good faith about the man that imposed even on Compton. And when Mr. Hardie drew out the notes and said, "I should be grateful if you would forgive

me the interest; but for a great piece of good fortune on the Stock Exchange I could never have paid the whole principal," he said warmly.

"The interest should never be demanded through him."

He called in Colls, delivered up the Receipt, and received the 14,010*l.* 12*s.* 6*d.* from Mr. Hardie.

O immortal Cash! You, like your great inventor, have a kind of spirit as well as a body; and on this, not on your grosser part, depends your personal identity. So long as that survives, your body may be recalled to its lawful owner from Heaven knows where.

Mr. Compton rushed to Pembroke-street and put this hard, hard Cash in David Dodd's hands once more.

Love and Constaney had triumphed: and Julia and Alfred were to be married and go down to Albion Villa to prepare it for the whole party: tenants no more: Alfred had bought it. The Commissioners of Lunacy had protected his 20,000*l.* zealously from the first: and his trustees had now paid the money over.

Alfred, consulted by Mrs. Dodd, whose pet of pets he now was, as to the guests to be asked to the wedding breakfast, suggested "none but the tried friends of our adversity."

"What an excellent idea!" said Mrs. Dodd naïvely.

Dr. Sampson being duly invited, asked if he should bring his Emulsion.

This proposal puzzled all but Mrs. Dodd. She was found laughing heartily in a corner without any sound of laughter. Being detected and pointed out by Julia, she said, with a little crow, "He means his wife! Yes, certainly, bring your Emulcent"—pretending he had used that more elegant word—"and then they will all see how well you can behave."

Accordingly he brought a lady, who was absurdly pretty to be the mother of several grown young ladies and gentlemen, and two shades more quiet and placid than Mrs. Dodd. She quietly had her chair placed by Dr. Sampson's, and, whenever he got racy, she put a hand gently on his shoulder, and by some mesmeric effect it moderated him as Neptune did the waves in the *Æneid*. She was such a mistress of this mesmeric art, that she carried on a perfect conversation with her other neighbour, yet modulated her lion lord with a touch of that composing hand, in a parenthetical manner, and while looking another way.

This hand, soft as down, yet to all appearance irresistible, suppressed the great art of healing, vital chronometry, the wrongs of inventors, the collusions of medicine, the Mad Ox, and all but drawing-room topics, at the very first symptom, and only just allowed the doctor to be the life and soul of the party.

Julia and Mrs. Dodd had a good cry at parting. Of course Alfred consoled them; reminded them it was only for a week, and carried off his

lovely prize, who in the carriage soon dried her eyes upon his shoulder.

Then she applied to her new lord and master for information. "They say that you and me are one, now," said she.

He told her triumphantly it was so.

"Then from this moment you are Julius and I am Elfrida," said she.

"That is a bargain," said he, and sealed it on the sweet lips that were murmuring Heaven so near him.

In this sore-tried and now happy pair the ardour of possession lasted long, and was succeeded by the sober but full felicity of conjugal love and high esteem combined. They were so young and elastic, that past sorrows seemed but to give one zest more to the great draught of happiness they now drank day by day. They all lived together at Albion Villa, thanks to Alfred. He was by nature combative, and his warlike soul was roused at the current theory that you cannot be happy under the same roof with your wife's mother. "That is cant," said he to Mrs. Dodd; "let us you and I trample on it hand in hand."

"My child," said poor Mrs. Dodd sorrowfully, "everybody says a mother-in-law in the house bores a young gentleman sadly."

"If a young gentleman can't live happy with you, mamma," said he, kissing her, "he is a little snob, that is all, and not fit to live at all. *De lenda est Cantilena!* That means down with Cant!" They did live together: and behold eleven French plays, with their thirty-three English adaptations, confuted to the end of time.

Creatures so high-bred as Mrs. Dodd never fidget one. There is a repose about them; they are balm to all those they love, and blister to none. Item, no stranger could tell by Mrs. Dodd's manner whether Edward or Alfred was her own son.

Oh, you happy little villa! you were as like Paradise as any mortal dwelling can be. A day came, however, when your walls could no longer hold all the happy inmates. Julia presented Alfred with a lovely boy: enter nurses, and the villa showed symptoms of bursting. Two months more, and Alfred and his wife and boy overflowed into the next villa. It was but twenty yards off; and there was a double reason for the migration. As often happens after a long separation, Heaven bestowed on Captain and Mrs. Dodd another infant to play about their knees at present, and help them grow younger instead of older: for tender parents begin life again with their children.

The boys were nearly of a size, though the nephew was a month or two older than his uncle, a relationship that was early impressed on their young minds, and caused those who heard their prattle many a hearty laugh.

"Mrs. Dodd," said a lady, "I couldn't tell by your manner which is yours and which is your daughter's."

"Why they are both mine," said Mrs. Dodd piteously.

As years rolled on Dr. Sampson made many converts at home and abroad. The foreign ones acknowledged their obligations. The leading London physicians managed more skillfully; they came into his ideas, and bit by bit reversed their whole practice, and, twenty years after Sampson, began to strengthen the invalid at once, instead of first prostrating him, and so causing either long sickness or sudden death. But, with all this, they disowned their forerunner, and still called him a quack while adopting his quackery. This dishonesty led them into difficulties. To hide that their whole practice in medicine was reversed on *better information*, they went from shuffle to shuffle, till at last they reached that climax of fatuity and egotism—THE TYPE OF DISEASE IS CHANGED.

*Natura mutatur, non nos mutamur.*

O, mutable Nature and immutable doctors!

O, unstable Omniscience, and infallible Neuroscience!

The former may err; the latter never—in its own opinion.

At this rate, draining the weak of their life-blood was the right thing in Cervantes's day: and when he observed that it killed men like sheep, and said so, sub tit. *Sangrado*, he was confounding his own age with an age to come three hundred years later, in which coming age depletion was *going* to be wrong.

Molière—in lashing the whole scholastic system of lancet, purge, and blister as one of slaughter—committed the same error: mistook his century for one to come.

And Sampson, thirty years ago, sang the same tune, and mistook his inflammatory generation for the cool generation unborn. In short, it is the characteristic of a certain blunder called genius to see things too far in advance. The surest way to avoid this is not to see them at all; but go blindly by the cant of the hour. *Race moutonnière, va!*

Sampson was indignant at finding these gentry, after denouncing him for years as a quack, were pilfering his system, yet still reviling him. He went in a towering passion, and lashed them by tongue and pen: told them they were his subtractors now as well as detractors, asked them how it happened that in countries where there is no Sampson the type of disease remains unchanged, depletion is the practice, and death the result, as it was in every age?

No man, however stout, can help being deeply wounded when he sees his ideas stolen, yet their author and publisher disowned. Many men's hearts have been broken by this: but I doubt whether they were really great men.

Don't tell me Lilliput ever really kills Brobdingnab. Except of course when Brobdingnab takes medical advice of Lilliput.

Dr. Sampson had three shields against subtraction, detraction, and all the wrongs inventors endure; to wit, a choleric temper, a keen sense of humour, and a good wife. He storms and



rages at his detracting pupils; but ends with roars of laughter at their impudence. I am told he still hopes to meet with justice some day, and to give justice a chance, he goes to bed at ten, for, says he,

Jinny us, jinny us,  
Take care of your carcase,

and explains that no genius ever lived to ninety without being appreciated.

"If Chatterton and Keats had attended to this, they would have been all right. If James Watt had died at fifty he would have been all wrong; for at fifty he was a failure: so was the painter Etty, th' English Tishin." And then he accumulates examples.

His last distich bearing on Hard Cash is worth recording. "Miss Jules," said he, "y' are goen to maerry int' a strange family—

Where th' ijjit puts the jinny us  
In—til a madhus,"

which, like most of the droll things this man said, was true: for Soft Tommy and Alfred were the two intellectual extremes of the whole tribe of Hardies.

Mrs. Archbold, disappointed both in love and revenge, reposed her understanding and soothed her mind with Frank Beverley and opium. This soon made the former deep in love with her, and his intellect grew by contact with hers. But one day news came from Australia that her husband was dead. Now, perhaps I shall surprise the reader if I tell him that this Edith Archbold began her wedded life a good, confiding, loving, faithful woman. Yet so it was: the unutterable blackguard she had married, he it was who laboured to spoil her character, and succeeded at last, and drove her, unwilling at first, to other men. The news of his death was like a shower-bath; it roused her. She took counsel with herself, and hope revived in her strong head and miserable heart. She told Frank, and watched him like a hawk. He instantly fell on his knees, and implored her to marry him directly. She gave him her hand and turned away, and shed the most womanly tear that had blessed her for years. "I am not mad, you know," said poor Frank; "I am only a bit of a muff." To make a long story short, she exerted all her intelligence, and with her help Frank took measures towards superseding his Commission of Lunacy. Now, in such a case, the Lord Chancellor always examines the patient in person. What was the consequence? Instead of the vicarious old Wolf, who had been devouring him at third and fourth hand, Frank had two interviews with the Chancellor himself: a learned, grave, upright gentleman, who questioned him kindly and shrewdly; and finding him to be a young man of small intellectual grasp, but not the least idiotic or mad, superseded his commission in defiance of his greedy kinsfolk, and handed him his property. He married Edith Archbold, and she made him as happy as the day was long. For the first year or two she treated his adoration with good-natured contempt; but, as years rolled on, she be-

came more loving, and he more knowing. They are now a happy pair, and all between her first honest love and this her last, seems to her a dream.

So you see a female rake can be ameliorated by a loving husband, as well as a male rake by a loving wife.

It sounds absurd, but that black-browed jade is like to be one of the best wives and mothers in England. But then, mind you, she had always—Brains.

I don't exactly know why Horace puts together those two epithets, "just" and "tenacious of purpose." Perhaps he had observed they go together. To be honest, I am not clear whether this is so on the grand scale. But certainly these two features did meet remarkably in one of my characters—Alfred Hardie. The day the bank broke, he had said he would pay the creditors. He now set to work to do it by degrees. He got the names and addresses, lived on half his income, and paid half away to those creditors: he even asked Julia to try and find Maxley out, and do something for him. "But don't let me see him," said he trembling, "for I could not answer for myself." Maxley was known to be cranky, but harmless, and wandering about the country. Julia wrote to Mr. Green.

Alfred's was an up-hill game; but fortune favours the obstinate as well as the bold. One day, about four years after his marriage with Julia, being in London, he found a stately figure at the corner of a street, holding out his hand for alms, too dignified to ask it except by that mute and touching gesture.

It was his father.

Then, as truly noble natures must forgive the fallen, Alfred was touched to the heart, and thought of the days of his childhood, before temptation came. "Father," said he, "have you come to this?"

"Yes, Alfred," said Richard composedly: "I undertook too many speculations, especially in land and houses; they seemed profitable at first too; but now I am entirely hampered: if you would but relieve me of them, and give me a guinea a week to live on, I would forgive all your disobedient conduct."

"Come home with me, sir," said the young man.

He took him to Barkington, bag and baggage; and his good Christian wife received the old man with delight; she had prayed day and night for this reconciliation. Finding his son so warm, and being himself as cool, Richard Hardie entrapped Alfred into an agreement, to board and lodge him, and pay him a guinea every Saturday at noon; in return for this Alfred was to manage Richard's property, and pocket the profits, if any. Alfred assented: the old man chuckled at his son's simplicity, and made him sign a formal agreement to that effect.

This done, he used to sit brooding and miserable nearly all the week till guinea time came; and then brightened up a bit. One day Alfred sent

for an accountant to look after his father's papers, and see if matters were really desperate.

The accountant was not long at work, and told Alfred the accounts were perfectly clear, and kept in the most admirable order. "The cash balance is 60,000/," said he: "and many of the rents are due. It is an agent you want, not an accountant."

"What are you talking about? a balance of 60,000/?" Alfred was stupefied.

The accountant, however, soon convinced him by the figures it was so.

Alfred went with the good news to his father.

His father went into a passion. "That is one side of the account, ye fool," said he; "think of the rates, the taxes, the outgoings. You want to go from your bargain, and turn me on the world; but I have got you in black and white, tight, tight."

Then Alfred saw the truth, and wondered at his past obtuseness.

His father was a monomaniac.

He consulted Sampson, and Sampson told him to increase the old man's comforts on the sly, and pay him his guinea a week. "It's all you can do for him."

Then Alfred employed an agent, and received a large income from his father's land and houses, and another from his consols. The old gentleman had purchased westward of Hyde Park-square, and had bought with excellent judgment till his mind gave way. But Alfred never spent a farthing of it on himself: all he took was for his father's creditors. "All justice is good," said he, "even wild justice." Some of these unhappy creditors he found in the workhouse; the Misses Lunley that survived, were there, alas! He paid them their four thousand pounds, and restored them to society. The name of Hardie began to rise again from the dust.

Now, while Richard Hardie sat brooding and miserable, expecting utter ruin, and only brightening up on guinea day, Julia had a protégé with equally false views, but more cheerful ones. It was an old man with a silver beard, and a machine with which he stamped leather into round pieces of silver, in his opinion. Nothing could have shaken that notion out of his mind. Julia confirmed it. She let it be known that she would always cash five pieces of round leather from Mr. Matthew's mint per day, and ten on Friday, when working men are poorest.

She contrived this with diabolical, no, angelical cunning, to save the old man from ridicule, and to do his soul much good. All souls were dear to her. What was the consequence? He went about with his mint, and relieved poor people, and gratified his mania at the same time. His face began to beam with benevolence, and innocent self-satisfaction. On Richard Hardie's all was cordage: and deep gloom sat on his ever-knitted brow.

Of these two men which was the rich man; he who had nothing, yet thought he possessed enough for himself and his neighbours: or he

who rolled in wealth, and writhed under imaginary poverty?

One reflection more. Do not look to see Providence dash the cup of prosperity from every dishonest hand; or you will often be disappointed: yet this, if you look closer, you shall often see; such a man holds the glittering cup tight, and nectar to the brim; but into that cup a shadowy hand squeezes some subtle ingredient, which turns that nectar to wormwood.

Richard Hardie died, his end being hastened by fear of poverty coming, like an armed man, and his guinea a week going. Matthews met with an accident, and being impervious to pain, but subject to death, was laid beside his poor mistress in St. Anne's churchyard. Julia buried him, and had a headstone put to his grave; and, when this was done, she took her husband to see it. On that stone was fresh carved the true name of the deceased, James Maxley.

"I have done what you told me," said Julia solemnly.

"I know it," said Alfred softly. "I saw who your Matthews was; but I could not speak of him, even to you. You have done right, my good Christian wife. I wish I was like you. My poor little Jenny!"

Richard Hardie's papers were all in order; and among them an old will leaving 14,000/ to Edward Dodd.

On this being announced to Edward, he remarked that it was a fraud. Alfred had been at him for a long time with offers of money, and failing these had lost his temper and forged a will, in his, Edward's, favour.

This scandalous defence broke down. The document was indisputable, and the magic sum was forced down Master Edward's throat, nilly willy. Thus rose the Hard Cash once more from the grave.

All this enabled the tenacious Alfred to carry out a deeply-cherished design. Hardie's late bank had been made into a shop; but it belonged to Mrs. Dodd; he bought it of her, and set up the bank again, with Edward as managing partner. This just suited Edward, who sadly wanted employment. Hardie and Co. rose again, and soon wiped out the late disgraceful episode, and hooked on to the past centuries of honour and good credit. No creditor of Richard Hardie was left unpaid. Alfred went in for politics; stood for Barkington, was defeated by seventeen: took it as a matter of course; told his friends he had never succeeded in anything at first; nor been beaten in the end; stood again, and became M.P. for Barkington, whence to dislodge him I pity any one who tries.

For a long time Mrs. Dodd was nervous, and used to wake with a start at night, and put out her hand to make sure David was not lost again: but this wore off.

For years the anniversary of that fatal day, when he was brought home on the stretcher, came back to them all as a day of gloom: but that wore off.

Sometimes the happiness of her family seemed incredible to her, remembering what they had all gone through. At first, their troubles were too terrible and recent to be discussed. But even that wore off, and they could talk of it all; and things bitter at the time became pleasant to remember.

One midsummer day they had all dined together rather early at Albion Villa, and sat on the lawn with Mrs. Dodd's boy and Julia's boy and girl playing about these ladies' knees. Now after a little silence, Mrs. Dodd, who had been thinking quietly of many things, spoke to them all, and said: "If my children and I had not been bosom friends, we never should have survived that terrible time we have passed through, my dears. Make friends of your children, my child."

"Ah, that I will!" said Julia; and caught up the nearest brat, and kissed it.

"It wasn't only being friends, mamma," said Edward; "it was our sticking together so."

In looking back on the story now ended, I incline to the same conclusion. Almost my first word was that Mrs. Dodd and her children were bosom friends; and my last is to congratulate them that it was so. Think of their various trials and temptations, and imagine what would have become of them if family love and unity had not abounded! Their little house was built on the sure foundation of true family affection: and so the winds of adversity descended, and the floods came, and burst upon that house, but could not prevail against it; it was founded on a rock.

THE END OF VERY HARD CASH.

#### NOTE.

THE STATEMENTS AND OPINIONS OF THIS JOURNAL GENERALLY, ARE, OF COURSE, TO BE RECEIVED AS THE STATEMENTS AND OPINIONS OF ITS CONDUCTOR. BUT THIS IS NOT SO, IN THE CASE OF A WORK OF FICTION FIRST PUBLISHED IN THESE PAGES AS A SERIAL STORY, WITH THE NAME OF AN EMINENT WRITER ATTACHED TO IT. WHEN ONE OF MY LITERARY BROTHERS DOES ME THE HONOUR TO UNDERTAKE SUCH A TASK, I HOLD THAT HE EXECUTES IT ON HIS OWN PERSONAL RESPONSIBILITY, AND FOR THE SUSTAINMENT OF HIS OWN REPUTATION; AND I DO NOT CONSIDER MYSELF AT LIBERTY TO EXERCISE THAT CONTROL OVER HIS TEXT WHICH I CLAIM AS TO OTHER CONTRIBUTIONS.

CHARLES DICKENS.

#### CHINA ORNAMENTS.

LET me glance through the newspaper—the North China Herald—before taking a stroll about Shanghai. The Herald is the weekly organ of British and foreign commercial interests at that town. A leading article in it, headed with the motto "Impartial, not Neutral"—an account of a pic-nic in a temple on the top of a mountain two thousand feet high—Despatch Number Twenty-eight, extracts from text of Treaty—rig in your jib and spanker booms, and top or brace up your lower and top-sail yards if you contemplate safe anchoring in the Woosung river. Extracts from the Tai-ping edition of the Bible—what like?—"Shangti is a fire, the Sun likewise is a fire, hence Shangti and the Sun have both come here! Respect this!" And so we would, if we could understand it. Four-fifths of the paper is advertisement. Every great British quack is here, alive O! Here are our Kitten's Cough Lozenges, and Hampshire Sauce. The Acclimatisation Society of Victoria, Australia, inserts a notice offering a reward of the value of one hundred pounds to any one who, within the current year, shall introduce the most valuable or interesting animal, bird, or fish, in sufficient numbers to establish the breed. All persons indebted to the estate of Sin-thae, deceased, are requested to make immediate payment to Tze-Tziou-Poo. There follow some tea-chest looking inscriptions, which represent the names of the trustees. Mr. Fazulbhoy Habibboy will in future carry on business by himself, and authorises Mahamed Ladha to sign his name by procuration. Here, too, is an important statistical account of

the quantity of teas exported to Great Britain and the United States.

I put the paper in my pocket and turned out into the town. Shanghai consists of two parts, the native city and the foreign settlements. The native city is surrounded by the usual wall, and contains about eight hundred thousand inhabitants. Within it are the Temple of Confucius, the residences of the Yaouti, or governor, and the principal civil and military authorities, together with a sprinkling of halls and joss-houses, as the chief specimens of town architecture. The foreign settlements are on concessions of land made by the imperial government at different times. The English by far the most flourishing, the Hongo, or mercantile houses, being so many palaces of commerce reared by British ingenuity. The number of British trading vessels in the river is greater, also, than those of all the other nations put together. The American settlement is the favourite place of resort for loafers of every colour, and bears no very good repute in consequence. Shanghai is all on one bank of the river, there being nothing but an iron foundry on the other side except the soap-works and a cemetery. The Chinese city and the English and French settlements are in Shanghai Proper, the American Concession, separated from them by the large river-like creek, is in Hong-que. Here the creek is spanned by a long hideous-looking bridge, half wood, half brick, built on piles driven deeply into the mud, and a toll of three cash—twenty cash being one penny—is levied upon all Chinese of low degree, except those who are in European service. The British Consulate is at the foot of the English end

of the bridge. The Woosung varies in width here from one-half to three-fourths of a mile; and, during the recent incursions of the Taipings, it was not an unusual sight to see ten or a dozen dead bodies daily floating down to the sea; some of them headless, nearly all wanting a limb, and in two instances lashed back to back.

In each of the numerous creeks are little boats with arched roofs of matting or old sacks, in which thousands of people are supposed to live by fishing. In the loose sense of the phrase, they do indeed fish for their living. How they get it, I have not been able to discover. All the way up both banks these dwellings are full of men and women, birds, beasts, insects—arks with old patriarchal Noahs in many of them, Chinamen of some fabulous age. From the grandfather or grandame of eighty, to the puling infant tied round the middle to keep it from tumbling out of the boat, they swarm. Cats are there tied by the neck, cocks and hens tied by the legs, the roof is tied to the sides, the sides are tied to the bottom of the boat, and finally, the boat itself is tied to the embankment. Little China boys make their dirt-pies in the flower-pot sort of stove at the head of the boat, regardless of the swift current which laps its bow and sides. In dry weather they are put ashore to play, and hearty good use they make of their time. They run up and down, tumble each other about, and disport themselves like little Jack Tars ashore after a six months' cruise. Opposite the Chinese city are moored in regular lines, large handsome junks each occupied by thirty or forty people. The whole number of river residents here is about eight thousand, while two hundred thousand Chinese live in the English settlement, and are subject to British law. Shanghai contains a Roman Catholic cathedral, a chapel, and two churches.

Ah! there is again a floating headless trunk. Enormities in China take even the name of justice. That I have seen. Five Chinese, for example, broke into the house of a Mussulman at Peking, and robbed him of forty dollars. They made their escape, but only as far as Tien-tsin, where they were captured and tried, after the Chinese mode of trial, which is conducted thus: A mandarin of the first order is seated on a raised bench or platform in a temple, and surrounded by the officers of justice and a few soldiers. The accused is brought in heavily ironed, and when the accusers have stated the charge against him the mandarin pronounces sentence. If it be an adverse one, the accused is led out for torture, until he confess his guilt. He is stripped to the waist and flogged unmercifully with rods, which have been steeped in brine for the purpose, and when the poor mangled wretch is released, his shoulder, back, and breast are one mass of scarified flesh. Of the five prisoners who were condemned to death after confessing their guilt, I saw only one executed: the sight was quite enough to satisfy my curiosity. He was brought out of the jail strongly shackled, and with a piece of bamboo sticking out of the neck of his jacket behind, to the end of

which was affixed a written statement of his crime. A body of braves preceded him, armed with long sticks, having iron hooks fastened to their ends, to clear the way for the procession. A mandarin mounted on a mule, and clothed in a blood-coloured dress, followed; then a crowd; then another mandarin; sundry officials bearing something very like a bundle of umbrellas; and finally the Number One mandarin, a very bloated self-sufficient looking person. As the procession passed a certain house, the prisoner—who up to this time had never uttered a word—broke out into fearful imprecations against the inmates, and could scarcely be silenced. The crowd halted at the western suburbs of the town, and disposed itself around a table placed in the middle of the street for the use of the mighty Number One, who took his seat at it with nonchalance, and began arranging his writing materials for no apparent purpose. The condemned knelt down after having been divested of his jacket by a couple of assistants, one of whom then seized his tail and stretched his neck. In another instant I saw the quivering sinews and muscles of a headless trunk.

There is another way of punishment for lighter offences. The prisoner's head is shaved, and a peculiar kind of ointment is rubbed all over him, from his crown to the soles of his feet. He is then brutally flogged, and in the course of four-and-twenty hours becomes a mass of ulcers.

A Chinese merchant of respectability committed a crime, about twenty years back, for which he was sentenced by a mandarin to be chained to a post, hamstrung, and left to starve to death. The people, however, fed him secretly; and, in course of time, erected a rude shed over him, composed of mud and matting. Here he has resided ever since, and derives a precarious subsistence by selling nuts and cakes, and sometimes gambling with the spectators. He is scantily clothed, and exposed to the inclemency of every weather—a miserable wreck of humanity.

As a contribution to the study of Chinese ingenuity in the conception of cruelties, I have had a description of the Temple of Horrors from a friend who visited it recently. It is situated close to the wall of Tien-tsin, and consists of a number of single storied rooms built of mud and roofed with tiles. At the entrance to the gate stands, on either side, a pole sixty feet high, fixed into a pyramid of mud, tastefully ornamented with half-burnt bricks. Poles are frequently seen in China at the entrance to large edifices. On entering, my friend found himself in the presence of a "grand guard," consisting of ten braves, five on each side, all made of straw and mud, and painted in most gorgeous colours. The figures were as large as life, and clothed in three different sorts of costume. Some of them sported formidable-looking moustachios of a peculiar material. Their horses were also of life-size, and stood in spirited attitudes. The first room examined, had in it about seventy different images, of from two to four feet high, standing, sitting, kneeling, or lying



on the floor. Four figures, in elevated niches, were of gigantic dimensions, and appeared to be the judges of this Celestial Hades. The fiends whose business it was to torment figurative Chinese for their earthly sins, were all painted black, and grinned horribly.

Horror number one, is a miniature castle on fire, and, in the midst of the flames, which issue from the tower, there stick up the legs of an unfortunate sinner, supposed to be roasting below, head downward: while the smoke rises through a hole in the flat roof of the furnace to a mill above, where two fiends are assiduously grinding it into men, women, animals, birds, and fishes, who are repeopleing the world as fast as possible. Horror number two, is the figure of a woman confined by upright posts, who is being sawn asunder. Horror number three, is a victim, over whom a fiend is directing the stroke of an immense hammer. Number four, an officious demon cutting out the tongue of a woman, who sheds red tears. Number eight, is a jagged rock, whence luckless mortals hurl themselves from before fiends armed with clubs: all falling upon sharp-pointed stakes, where they are flantly entwined by expectant serpents. Of the ninth horror, the victims swing on hooks. In the eleventh, a man is being crushed between two grindstones. In the next horror, there is set forth a huge pot of molten liquid, on the surface of which skulls and bones are floating; a demon has another victim ready to be cast into the broth. The last of the horrors represents a woman bound by iron rings to a red-hot stove-pipe. After this, there is shown a crowd of beings crossing a neatly-constructed wooden bridge. A demon stands with terrible grimace to obstruct the passage of some, while the rest hurry by him safely, with upraised hands and thankful faces. In the water, some are swimming for their lives; others are being devoured by immense water-snakes.

In the last room visited, there sat on his canopied throne the emperor, in white gloves, his face plentifully bedaubed with paint, and his person dressed in garments of all hues. In the whole temple there were three or four hundred images.

#### GENSERIC.

GENSERIC, King of the Vandals, who, having laid waste seven lands,  
From Tripolis far as Tangier, from the sea to the  
Great Desert sands,  
Was lord of the Moor and the African, thirsting  
anon for new slaughter,  
Sail'd out of Carthage, and sail'd o'er the Mediter-  
ranean water,  
Plunder'd Palermo, seized Sicily, sack'd the Lucanian  
coast,  
And paused, and said, laughing, "Where next?"

Then there came to the Vandal a Ghost  
From the Fashionless Land that lies hid and un-  
known in the Darkness Below,  
And answer'd, "To Rome."

Said the King to the Ghost, "And whose  
envoy art thou?  
Whence art thou? and name me his name that hath  
sent thee: and say what is thine."

"From far. And His name that hath sent me is  
God," said the Spectre, "and mine  
Was Hannibal once, ere thou wast: and the name  
that I now have is Fate.

But arise, and be swift, and return; for God waits,  
and the moment is late."

Then "I go," said the Vandal: and went.

When at last to the gates he was come,  
Loud he knock'd with his fierce iron fist. And full-  
drowsily answer'd him Rome,

"Who is it that knocketh so loud? Get thee hence:  
let me be: for 'tis late."

"Thou art wanted," cried Genseric. "Open! His  
name that hath sent me is Fate.

And mine, who knock late, Retribution."

Rome gave him her glorious things,  
The keys she had conquer'd from kingdoms, the  
crowns she had wrested from kings,  
And Genseric bore them away into Carthage, avenged  
thus on Rome,

And paused, and said, laughing, "Where next?"

And again the Ghost answered him, "Home!  
For now God doth need thee no longer."

"Where leadest thou me by the hand?"  
Cried the King to the Ghost. And the Ghost  
answer'd, "Into the Fashionless Land."

#### COURT-MARTIAL.

By the side of a road, right face to the camp  
at Aldershot, with a flagstaff and flag flying, is  
a plain little hall, with beaked roof and a small  
pair of wings. It is enclosed in a small bit of  
planted ground. There is a group of red-coats  
within the enclosure, and, at the gate, an  
apple-stall. This is the club-house, and it is  
one of the days of the great Aldershot court-  
martial there being held. I pass through a side-  
door into a little space behind a barrier—space  
occupied by a small crowd of about forty soldiers,  
who are to-day the general public present at the  
court-martial.

Immediately in front of the barrier at the  
lower end of the long room is placed the busy  
line of reporters. What do they see to report?  
A room of good height, narrow in proportion  
to its length, a club-room that might serve as a  
little ball-room, with a couple of glass chandel-  
liers hung from the roof, and brackets against  
the side-walls for lights and ornaments or  
flowers, and with divers doors into the little  
side-rooms. Behind the reporters' barrier are  
the general public. At the upper end, where  
the wall is adorned with looking-glass, there  
is another small piece cut off the length of the  
room, and furnished with chairs for the special  
public of officers and persons notable in military  
eyes. Between these publics of the upper and  
the lower classes, the space that remains is still  
long in proportion to its breadth, and down the  
middle of it comes the long table for the fifteen  
officers forming the court-martial. The Presi-  
dent sits at the upper end, with an orderly  
standing at his elbow. The other officers have  
paper and pens before them. At the lower end  
of the long table, stands the witness under ex-  
amination; and, upon the table at the witnesses'

end, are placed models of certain huts, frequently referred to in illustration of the case. Near the same end, and within reach of the witness, is a little square table, on which to place whatever else may be produced. As we look up the central table, we perceive a small table where, in full uniform, sits the prisoner, between the two lawyers, who advise him. On the left is the stationer's show table of despatch boxes and papers, at which sits in full uniform the Judge-Advocate, or official prosecutor, with a lawyer in civilian costume. Between him and us is the bare little table that suffices for the work of the official short-hand reporter. Finally and particularly, at the other end of the room, at a little table to the right of the President and behind him, is the table of the Deputy Judge-Advocate, whom I find employed in reading questions to the witness. The light and airy effect of the room, the bright uniforms in little groups detached from the great central cluster, and the generally pleasant aspect of the officers employed in uncongenial work, contents the eye. But the understanding is not so well satisfied.

The good-natured-looking officer at the little table behind the right elbow of the President, has a list of written questions which the prisoner is putting to the witness. They cannot be put directly by the prisoner. They must go the official round. A question is slowly and officially read. The witness begins to reply, and tells something about what is called the chick. He has named chick, and there he must stop till the official questioner has deliberately copied down his answer as far as the word chick, then it is indicated to him that he may go on, and he proceeds, "which completely obstructs the—" There he is checked; and, during a pause of five minutes the good-humoured military official carefully writes all that down. When it is all recorded in the best official caligraphy, the witness is suffered to go on, and he completes his answer by adding the word "vision."

Presently it occurs to the prisoner's lawyers to offer some sort of impediment to some part of the inquiry. They never speak audibly, but they are always making themselves heard. The prisoner rises with a bit of paper in his hand, and slowly and bogglingly reads from it what has been written down for him to say, and what is delivered thus, reads to the public in the newspaper report like shrewd spontaneous suggestions. Each objection is followed by a pause—sometimes a long pause. The court seems again and again to have been hit in the wind and to have collapsed till it gets breath again. But this is only apparent; the court-martial is only twiddling its official thumbs while the prosecution produces in neat small text its answer to, or comment upon, the objection raised. This is then read aloud, and causes a fresh stoppage, and so the weary business drags its slow length along; looking like the dullest conceivable rehearsal of a law scene by military amateurs, who have had parts and detest them, and cannot get through ten lines of them

without breaking down in spite of the prompter. At lunch-time the President intimates that the court will retire for half an hour to consider a point raised by the prisoner.

In ordinary cases a general court-martial consists of thirteen officers, including the President; no field-officer may be tried by any officer under the degree of captain, and, if possible, he is not to have any officer of lower rank than his own sitting in judgment on him. The greater proportion of officers of high rank the wiser and more respectable the court is theoretically supposed to be. An officer of commissariat, of engineers, or of artillery, should have three or four officers of commissariat, of engineers, or of artillery, upon the court.

The trial is usually conducted by the Deputy Judge-Advocate-General, the witnesses for prosecution and those of which the prisoner has given in a list having been summoned by the Judge-Advocate. The Judge-Advocate-General is appointed by letters patent under the Great Seal; the Judge-Advocate is appointed by commission under the sign manual. Without an officiating Judge-Advocate, duly appointed, no general court-martial is legal; and a grave offender once escaped his sentence because the officer who served at his trial as Judge-Advocate, had not been duly appointed.

Court-martials pretend to a right to forbid newspaper reports of their proceedings while they remain open, and at Lieutenant Perry's first trial the President of the court-martial talked about contempt of court, while the Deputy Judge-Advocate said that the "offending party" was liable to be proceeded against under the Mutiny Act. He found it so written in his "Simmons." Judiciously, however, they refused to take any information that might have brought their claim of secrecy to test. The Times, which like other London papers gave daily reports, added to the observation made by the court-martial, its own note within brackets. "The court is open. Not a tittle of evidence can be received with closed doors; and no reporter who knew his duty would consider himself bound by an order which the court had no right to make, and no power to enforce." The Aldershot court-martial has made no attempt to renew the illegal claim made by its famous predecessor, and has practically recognised in the most liberal manner the presence of the public ear at its deliberations.

When a court-martial first meets, the prisoner may object to be tried by any of its members. If the President be challenged, the court has power only to argue with the prisoner. If he persist in his objection, the court must adjourn and report to the authority by which it was convened. If the challenge of an ordinary member of the court be allowed, his place can be at once filled by an officer in waiting. The Judge-Advocate should be the prosecutor. His duty is official, and he is exempt by his office from the odium that would attach to the personal prosecution of one officer by another. It is only at a general court-martial, and not always then,

that the prosecutor introduces the case with an opening address. Such an address is out of order at inferior courts-martial, and, whenever allowed, it is to be confined to a statement of the facts to be set forth in evidence, with reasonable certainty of proof.

All evidence is sworn, and it is usually against rule to allow a witness to tell what he has to say in the form of simple narrative. Information is to be taken by question and answer; each question being written down before or immediately after it is put, and the reply which has been waited for, being also carefully written down as it is delivered. The prosecutor examines in chief. The prisoner cross-examines. Lastly, the court re-examines. At the Aldershot court-martial the prisoner was allowed to establish a precedent of reserving his cross-examination to the day following the examination in chief, in order that his lawyers might have the amplest time for advising him as to the way of shaking any serious points in the evidence that had been given. Only one witness is in court at a time. Commencing at ten o'clock in the morning, courts-martial must, by the articles of war, adjourn at four. If evidence have been taken after the legal hour, it must be legalised by repetition when the court next meets.

The prosecution being closed, the prosecutor, or Judge-Advocate, declares the fact, which is recorded. The prisoner is then asked when he will be prepared to enter upon his defence? If a few days' delay be asked, they are not refused. The prisoner usually begins by examination of his witnesses to facts, and witnesses to character; he may also put in letters from distant witnesses on proof of handwriting, and may then ask for a day to complete his written defence, or defer till that time a request for adjournment. The prisoner is not obliged to read it himself if there be reason why he should have it read for him. If evidence as to new matter have been improperly admitted by the court, the prosecution may—in the army, not in the navy—claim to reply, and a reply introducing other fresh evidence may establish a prisoner's right to rejoinder. But the trial being in the usual manner finished with the defence, the prosecutor, or Judge-Advocate, sums up: not by giving any of his own opinions on the case, but by pointing out where evidence is contradictory or ill supported. The court, of which the members have been taking such notes as they wished, is then cleared for deliberation, and examines evidence, with the Judge-Advocate's help in referring to the different points in the evidence. The Judge-Advocate finally asks the decision of each member, beginning with the youngest and ending with the President, as to the guilt or innocence of the prisoner upon each charge. If the whole finding of the majority be Not Guilty, there are added the words "and he is acquitted." If the finding be Guilty, it becomes the business of the Judge-Advocate to point out the article of war, or other military law, that relates to the punishment. If there be fifteen officers in the court-martial, eight must

consent to the sentence finally pronounced; but in charges of murder, two-thirds must agree to the finding of guilt, and two-thirds of the court must agree whenever sentence of death is pronounced.

The court may by a majority, for reasons stated, recommend a prisoner to mercy. The Commander-in-Chief, on the other hand, may refuse to confirm either the finding or the sentence, and may send the case back for revision, the Judge-Advocate-General stating by letter the grounds of his disapproval. The court then reassembles, and adheres to or revises its former finding and sentence.

That is the system which experience has proved to be most unsatisfactory in practice. At the late trial of Captain Robertson, of the Fourth Dragoon Guards, officers contradicted each other upon oath for upwards of a month, and when, in defiance of truth and justice, Captain Robertson was cashiered, the sentence would have been carried into effect, had it not been for the public press. The issue was more creditable in another case of a dead set on a man who was disliked by his colonel. A Lieutenant Hyder, of the Tenth Hussars, was brought to a general court-martial in March, 1846, to answer certain charges preferred against him by his commanding-officer. It came out on that court-martial, that a system of intimidation and injustice had been carried on, which was unequalled even in the affair of the Fourth Dragoon Guards. Lieutenant Hyder's horses were repeatedly cast as being unfit for chargers; he was not allowed to have charge of a troop; he was annoyed in every possible manner. The whole affair was so clear even to the court, that there was no miscarriage of justice, and Lieutenant Hyder was acquitted, and his colonel reprimanded in a General Order from the Commander-in-Chief.

Another celebrated general court-martial was held at Nottingham in 1849. The Third Dragoon Guards, then lying there, were all confined to barracks by order of the commanding-officer, because he alleged that the horses were not clean. The men broke out of barracks by twenties. Pickets were sent after them, but the pickets joined the absentees. An inquiry was made into the matter, and some of the culprits were tried, and received various punishments, ranging from two years' to three months' imprisonment. The public press, when treating of the evidence given by the witnesses for the prosecution, said that "in a civil court the greater part of the witnesses would have been convicted of perjury." Trust goes by rank. The worst feature in all courts-martial is, that unless the witnesses produced by the prisoner be of a higher military grade than those brought forward by the prosecution, his chance is a poor one. In many cases, officers have been actually ordered by their commanding-officers to convict, on the plea that even if the man were innocent, it would be prejudicial to the interests of the service to acquit him. With this feeling many commanding-officers award punishment. Once a private soldier averred that

he could bring all the men in the room to prove that the corporal was telling a falsehood; the answer was:—"I would sooner take the word of the junior lance-corporal, than believe the oaths of all the privates in the regiment."

Take some examples of this. In 1849, Corporal Jones, of the Tenth Hussars, was mounting guard, and, being rather nervous, was trembling when the adjutant and sergeant-major were parading him: so he was ordered to fall back, and was sent to his room for being drunk. This was at six A.M.; at three minutes past six he was in his room, a large one, where between thirty and forty men slept. All these men said that he was sober; and, on the court-martial, he called upon them as evidence for the defence. For the prosecution there were the sergeant-major and a sergeant, who swore that the corporal was very drunk. The men in his room swore that he was sober, both before going on parade and after he came off. But their evidence was not admitted; the President saying that he was not tried for being drunk five minutes before six, or three minutes after six, but for being drunk at six o'clock precisely. Accordingly he was found guilty, and sentenced to be reduced to the ranks. What would the world say to justice so administered in civil cases?

Under the mask of a court-martial, more injustice has been perpetrated in the army, than any man out of it can imagine. During the Peninsular War, the unjust sentences pronounced, and the cruel tyranny practised by these tribunals, were beyond conception, and even now they scarcely can be credited; for instance, what would be thought of this now-a-days? The Marine Officer, in his Sketches of Service, tells this story:—"The commanding-officer of the Ninth Regiment of Foot, who ruled chiefly by fear, after the defeat of the enemy at Roliça, established a permanent court-martial in the regiment: a kind of sitting provost commission. The men serving on this were exempt from the other duties of the corps. One day a soldier of the regiment, for some irregularity, was sentenced by this court-martial to be flogged. The regiment being on the march was halted, the halberts were stuck up, the proceedings of the court-martial were read, and the culprit was ordered to strip. A generous sergeant of the regiment then recovered his musket, and said, "May it please your honour, the culprit is guilty, but he is a brave soldier, and if your honour will take me as a security for his future good conduct, I will answer for him with my body, and if he commits any future offence I will be ready to offer myself up to receive the sentence of the present court-martial." "You mutinous rascal," said the commanding-officer in a rage, "I'll teach you manners!" His arms were taken from him, and he was sent a prisoner before the permanent court-martial, who not only reduced him to the ranks, but sentenced him to be flogged for interfering in favour of a fellow-soldier. When writhing at the halberts he ground his teeth, and muttered "I will have blood for this!" The man's

heart was broken, but the commanding-officer remained "an officer and a gentleman" as before.

Sergeant Teesdale, in his letters addressed to the people of England in 1835, told that: "During our stay in Bremen, which was for about six weeks, we had a parade to attend morning and afternoon. The officers commanding companies received orders from Major B. to inspect their men closely, and turn out to the front such as they found dirty. A square was then formed for punishment, and those who had been found fault with were marched in, tried by a drum-head court-martial, and flogged to a man, without reference to character. There was no remission of sentence, not a lash excused. I have known from ten to fifteen, or twenty-five, flogged at a parade on this frivolous pretext, and the practice was continued on every parade until it was put a stop to. At one of the above flogging parades, when we had been nearly two hours witnessing the horrible scene of bloodshed, and when the hands and feet of every soldier in the regiment were benumbed with cold, from remaining such a length of time in one position, a brave old soldier, whose character was unimpeachable, happened to cough in the ranks. He turned his head a little on one side to discharge the phlegm, and was instantly ordered into the centre of the square, stripped of his accoutrements, and placed in front of the halberts. He went through the mock form of trial by a drum-head court-martial. Major B. swore he was unsteady in the ranks, and on the ipse dixit of that tyrant he was sentenced to fifty lashes. After the brave veteran was tied he implored hard for mercy, adding that, 'he had been twenty years in the service, and was never till then brought to the halberts.' The pale, worn, and dejected appearance of the man, from age and length of service, was in itself enough to excite compassion and sympathy, even had he been guilty of a crime. His appeal was useless; he had every lash of his sentence, and he never looked up afterwards."

Courts-martial may be divided under three heads: as general, district, and regimental. The first are assembled by authority of the Queen: or, abroad, of the officer commanding-in-chief. General courts-martial consist, as we have seen, of not less than a President and twelve members. District courts-martial are ordered to assemble by the officer in command of the division or district, and are composed of an officer and six members. Regimental courts-martial are ordered to assemble by the officer commanding the regiment. A regimental court-martial is a farce. There is no Judge-Advocate to tell the court what the law is. The man, in many cases, has been virtually tried and sentenced before he is brought to the tribunal. It is a well-known fact in the army that one soldier found another's sentence in the colonel's handwriting before the man had been tried, that he boldly produced this paper at the court-martial, and that the regimental court-martial was therefore dissolved. Commanding-officers who thus dictate to the President and members of regimental courts-



martial, or who send back the proceedings for revision, may be somewhat likened to a governor of the East Indian Company, who, in writing to an officer who had been appointed judge of civil affairs in India, told him, "I expect my will and orders shall be your will, and not the laws of England, which are a heap of nonsense, compiled by a number of country gentlemen who hardly know how to govern their own families, much less to regulate our affairs."

A man named Spooner was reported for some trivial affair to his troop officer, who awarded him three days' drill. The sergeant-major confined the man afterwards for having said to him, "Why did you report me to the officer?" and he was tried for this. The men upon each side of him swore that he never made any such remark. Spooner himself pleaded "Not Guilty," and the President and members of the court returned that he was "Not Guilty" of the charge preferred against him. In defiance of this, the commanding-officer ordered the court to reassemble, and to reconsider the finding: stating, likewise, that as the sergeant-major, who was within four yards of the prisoner, had sworn that he had made use of those words, the sergeant-major's evidence was to be taken before any other. The court accordingly reassembled, found the prisoner "Guilty," and sentenced him to "twenty-eight days' imprisonment, with hard labour." Yet each of the officers composing the court had sworn to "duly administer justice."

There have been instances in which courts-martial have been threatened with the charge of contumely, for refusing to augment an already awarded sentence, when the reasons for mercy were well founded. In rare cases, the members have refused steadily to alter their sentence. Dr. Marshall tells that, The members of a regimental court-martial, who had disappointed the commanding-officer by acquitting a soldier, were ordered to wait upon a general officer to account to him for their decision. To an observation made by the general, one of the members replied, like a true officer and gentleman, "When I became a member of the court-martial in question, I swore that I would duly administer justice without partiality, favour, or affection, according to the best of my understanding, and having done so, I did not expect to be called before any tribunal in regard to our decision, but my own conscience, with which I am at peace." "That will do," said the general; "you may all go." We can, of course, make allowance for those who submit to undue influence. Officers joining the service are generally only boys of sixteen or eighteen. In a few weeks they are considered eligible, and placed on the roster for court-martial duty, when they can know nothing about the regulations, or the articles of war. As the sentence to be awarded is first given by the junior member, and so on upwards, the absurd severity of some sentences need not be wondered at.

Sir Robert Wilson, whose authority is of the best, says rightly, that, "The judgment of a

regimental court-martial does not interpose a sufficient check upon the severity of some commanding-officers. Young men are allowed to be members who have never considered the moral effects of punishment; they are familiarised to severity by the recorded instances of their predecessors; they are instructed to consider particular offences as forcing *de se* a precise award without the consideration of a man's previous character . . . they too frequently assemble without a thought upon the important trust committed to them; they hear with levity, and decide without reflection."

There was a case in India that will show how true this is. In 1848, Private Gallagher, Tenth Hussars, a man of irreproachable character, was confined for insubordination; the facts were clearly proved, and he was sentenced to some months' imprisonment. No sooner was his time expired, than he was again confined on a similar charge, found "guilty," and again awarded imprisonment. On his release, precisely the same thing occurred again, insubordination, with the same result. Immediately after the third term of imprisonment he again committed himself, and then at last it was discovered that the poor fellow had been all along insane. About a week before the commission of the first offence, Gallagher, with some others, had been ordered to take a drunken man of the name of Howard to the guard-room: a ruffian at any time, but a most dangerous ruffian when drunk. He had seized poor Gallagher, and thrown him heavily on the head. He fell with his head on a door-step, was taken up insensible, was in hospital for a few days only, and came out apparently all right, but in reality with his skull fractured. The acts of insubordination, the courts-martial, and the imprisonment followed. It never appeared to strike any of the members of the court, chiefly officers of his own corps, who knew the man, that it was strange for a man hitherto of exemplary conduct, and mostly quiet and inoffensive, all at once, and without provocation, to become one of the most desperate characters in the regiment. Not a man on the court had used his brains.

Let us not be misunderstood. We have the warmest respect for military officers, and most heartily esteem their noble sense of duty. The objections to courts-martial that we have here recorded, do not for a moment imply that we in the least doubt there being great numbers of men who bring honour and tender conscience to the court-martial table. The army has its Clydes as well as its solemn and absurd martinetts. How many fine, true-hearted, conscientious bits of duty made up the sum of Lord Clyde's simple and heroic life! Let us listen to the noble and wise rebuke of his to a court-martial in which the Commander-in-Chief righted the scales of justice for an unconsidered private in the ranks. The letter tells its story for itself:

"Adjutant-General's Office, Allahabad,  
21st December, 1858.

"The Commander-in-Chief has under his consideration the proceedings of a court-martial

upon the trial of a private soldier, on a charge of which he was convicted, of having *wilfully destroyed* an Enfield rifle; and on which proceedings his excellency feels himself constrained to make the following observations:

"Three witnesses deposed to having seen the prisoner 'break' the rifle, but they do not describe the nature of injury done; a fourth witness deposed to the cost of a new and complete rifle. The prisoner then proposed the following question to this witness: 'Is the rifle now on the table wholly destroyed?' This question, a negative reply to which it was much to the prisoner's advantage to obtain, the court would not allow the witness to answer.

"The very issue before the court was, whether the rifle had or had not been *destroyed*. By refusing to receive evidence on that point the conviction has been invalidated, and the soldier has not improbably suffered wrong. If the rifle had been actually destroyed, there should not have been even hesitation in receiving testimony to that effect; but if it had been only damaged, and could be repaired, and again made serviceable, it was the duty of the court to have elicited the fact, recorded a verdict in accordance, and awarded stoppages only to the extent necessary for effecting the repairs.

"It may have been the case that the rifle was actually *destroyed*, and could not be made serviceable again, and that the officers sitting on the court-martial perceived this by their own personal observation; but, nevertheless, they completely lost sight of the fact that without *recorded evidence* on the point, it would be altogether out of the power of the confirming officer to form an accurate judgment as to the correctness or otherwise of the conviction.

"Neither is the officer who did confirm the conviction exempt from blame. He should have perceived the deficiency of proof, and it was his duty to have reassembled the court for revision, in order to obtain a finding consistent with the evidence.

"There having been no evidence on the face of the proceedings that the prisoner had *destroyed* a rifle, the Commander-in-Chief has annulled the conviction of that offence, and has directed, in the Adjutant-General's department, that the soldier may be immediately restored to his duty, and that the entries of the conviction be cancelled in the regimental records."

#### BRAIN SPECTRES.

THE brain makes ghosts both sleeping and waking. A man was lying in troubled sleep when a phantom, with the cold hand of a corpse, seized his right arm. Awaking in horror, he found upon his arm still the impression of the cold hand of the corpse, and it was only after reflecting that he found the terrible apparition to be due to the deadening of his own left hand in a frosty night, which had subsequently grasped his right arm. This was a real ghost of the brain, which the awakening of the senses

and the understanding explained. M. Gratiolet narrates a dream of his own which is singularly illustrative of how the brain makes ghosts in sleep. Many years ago, when occupied in studying the organisation of the brain, he prepared a great number both of human and animal brains. He carefully stripped off the membranes, and placed the brains in alcohol. Such were his daily occupations, when one night he thought that he had taken out his own brain from his own skull. He stripped it of its membranes. He put it into alcohol, and then he fancied he took his brain out of the alcohol and replaced it in his skull. But, contracted by the action of the spirit, it was much reduced in size, and did not at all fill up the skull. He felt it shuffling about in his head. This feeling threw him into such a great perplexity that he awoke with a start, as if from nightmare.

M. Gratiolet, every time he prepared the brain of a man, must have felt that his own brain resembled it. This impression awakening in a brain imperfectly asleep, whilst neither the senses nor the judgment were active, the physiologist carried on an operation in his sleep which probably had often occurred to his fancy when at his work, and which had then been summarily dismissed very frequently. A pursuit which had at last become one of routine, and the association of himself with his study, explain the bizarre and ghastly dream of M. Gratiolet. A sensation from the gripe of a cold hand, misinterpreted by the imagination acting without the aid of the discerning faculties, accounts for the ghastly vision of the other sleeper.

Every one is conscious of a perpetual series of pictures, sometimes stationary, sometimes fleeting, generally shifting; yet occasionally fixed in his mind. Sleep is the period in which the nerves derive their nourishment from the blood. The picturing nerves, like those of the senses, are generally inactive in their functions at feeding times; and thoroughly healthy nervous systems, dream very little or not at all. Dreams betoken troubled brains. The brain of a woman who had lost a portion of her cranium used to swell up and protrude when she was dreaming, and then contract and become tranquil again when she was sleeping soundly.

The wakeful senses, the active judgment, and the will even of the strongest and soundest minds, are not always able to control the false and perverse impressions of the nerves. I knew once a commander in the navy whose left eye was shot clean out by a bullet in a naval action in the beginning of this century, and whom, forty years afterwards, it was impossible to convince that he did not see all sorts of strange objects with his lost eye. "It is *not* impossible," he would quietly say; "I know it too well." Everybody has known men who suffered rheumatism in legs long lost and replaced by wooden ones.

A nervous, dreamy, imaginative lad was walk-

ing one day with some comrades among rank grass. The place was noted for adders, and the youths talked about them. Instantly this lad felt something enter the leg of his pantaloons and twist itself with the swiftness of lightning round his thigh. He stopped terrified, and a careful examination proved that the adder was a creature of his imagination. The vividness of the fancy of this youth made his waking senses and his discerning faculties of no more use to him for the moment than if they had been asleep.

This condition of the brain is called by the savans hallucination. Mueller, the physiologist, and Goethe, the poet, have both described hallucinations to which they were subject, and which they compared in conversation together. The rarest case, says Mueller, is that of an individual who, whilst perfectly healthy in body and mind, has the faculty, on closing his eyes, of seeing really the objects he wishes to see. History cites only a very few instances of this phenomenon. Carden and Goethe were examples of it.

Goethe says: "When I close my eyes and stoop my head, I figure to myself and see a flower in the middle of my visual organ. This flower preserves only for an instant its first form. It soon decomposes itself, and out of it issues other flowers, with coloured and sometimes green petals. They were not natural but fantastic flowers, yet regular as the roses of the sculptor. I could not look fixedly at that creation, but it remained as long as I liked without increasing or diminishing. In the same way when I imagined a disk full of various colours, I saw continually issue from the centre to the circumference new forms like those of the kaleidoscope."

Mueller talked this subject over with Goethe in 1828. It was interesting to them both. "Knowing," says Mueller, "that when I was calmly lying on my bed with my eyes shut, although not asleep, I often saw figures which I could observe very well, he was very curious to learn what I then felt. I told him that my will had no influence either upon the production or upon the changes of these figures, and that I had never seen anything symmetrical or of the character of vegetation." Goethe could at will, on the contrary, choose his theme, which transformed itself forthwith in a manner apparently involuntary, but always obeying the laws of symmetry and harmony. Mueller used to get rid of the figures which haunted him by turning his face to the wall. Although he did not see them change place, they were still before him, but they soon began to fade. Jean Paul recommended the observation of these phantoms as a good plan for falling asleep.

These are hallucinations of sane minds. The delusive sensations of flying and falling are known to many persons. Young girls lying in bed between sleeping and waking at the epoch of life when their girlhood is passing into womanhood, are especially apt, like the religious

ecstasies, to fancy they are flying. And nearly everybody is familiar with the hallucination of falling from personal experience. When lying in bed trying in vain to fall asleep, or to warm the cold sheets, the patient feels as if sinking through the floor, and stretches out his arms suddenly to save himself: yet nothing has happened except the coincidence of a cold shiver with a complete expiration.

Physiologists and philosophers of authority say we are all mad in our dreams; and, if the absence of the control of reason is a true definition of insanity, there is no gainsaying the proposition. But madness means something more. In dreams the faculties which control the picturing or imagining powers are simply inactive; they are neither absent nor incapable. Far from identifying sleeping dreams with madness, I feel disposed to contend that voluntary and momentary hallucinations—seeing by the blind, hearing by the deaf, sensations of smelling, touching, tasting, things which do not exist—are only signs of insanity when the faculties needful for correcting the errors of sensation are diseased. Persons unaccustomed to railway travelling are not insane, although for many minutes they often believe the train is going backwards, because they retain the power of correcting the hallucination by watching the objects they are passing.

The senses are seeing, hearing, smelling, touching, and tasting instruments. There are between these and the seat of intelligence, nerves performing the functions of carriers. Even after the instruments have ceased to exist, the carriers often continue to carry messages—false messages. When a man has lost an eye, during the inflammatory period of recovery the carriers convey horrible images of fiery figures. It is the carriers who convey the pain of rheumatism from the lost limb.

A man who was recovering from typhus fever believed he had two bodies, one of which was tossing in pain on an uneasy bed, and the other lying sweetly on a delicious couch. I am not disposed to ascribe this hallucination to the duality of the brain, but to a conflict between the recollection of his sufferings, and the experience of his recovery. If the patient should have been permanently unable to overpower memory by reality he would have been insane, like the maniacs who believe their legs to be stalks of straw, or their bodies fragile as glass.

Pictures have produced hallucinations. Leaving aside the eyes of Madonnas, cases in which the power of religious ideas come into play, I may mention other instances of their effects on minds keenly sensitive to the beauties of the fine arts. A French physiologist, whilst studying intensely an English engraving of Landseer's Horse-shoeing, smelt horn burning, and fixed the idea in his mind for the moment that the smell came from the foot of the horse in the engraving. Another Frenchman records a similar experience. He had been taking a preparation of Indian hemp, and was seated at table with a picture behind him representing a battle of cavalry,

when he suddenly turned round, crying, "Well, then, I dislike kicking horses, even in paintings."

### GOING TO CHAPPELL.

ONCE upon a time it seems to have been a part of the necessary education of a well-regulated nursery-maid, to have her mind plentifully stored with a collection of old ballads, which were to be sung by the bedsides of her little charges. I speak not only from personal experience of that not very remote once upon a time, but from information carefully collected among my contemporaries and predecessors in infancy, when I assert that this acquirement, if not deemed indispensable by the parents, and certainly "considered" in the payment of wages, was looked upon by the old race of nursery-maids themselves, as a necessary qualification for a place in the nursery, and an indispensable branch of their professional science. My own nursery-maid, once upon a time, was only, as I have every reason to believe, a pretty fair type of the common species of the day; and certainly, her treasury of ballad-lore was as extensive as it was varied. I am not aware, either, that I was a more fractious or contumacious child than the ordinary "run" of children—of the male sex, of course I mean to say; as we all know that children of the more privileged sex are necessarily little angels without encumbering wings. But I can perfectly well remember that I invariably and most obstinately refused to allow my light to be put out, and to go to sleep at once, as it is to be trusted all good little boys and girls do at the present day, without hearing at least one (and more on high days and holidays) of that marvellous store of old ballads, with which good old Susan's head was so plentifully garnished. If I say "old" Susan, it is because my nursery-maid really did look old to me in those days, when in truth her age may have been about three or four-and-twenty. She had a clear, kindly blue eye, and a ruddy complexion—in all probability she was a country girl—and a pleasant, low voice of no great compass, but of considerable expression. It seems to me now, that she must have possessed some natural dramatic feeling: for pathos, terror, and humour were all conveyed to my young mind with singular vividness. Or was it, perhaps, that my own temperament was naturally predisposed to such impressions?

But this was once upon a time. Now-o'-days, as far as I can learn, this race of nursery-maids has died out; and old ballads are no longer sung by the bedsides of the rising generation. It is to be feared—perhaps it may be considered more proper to say, it is to be hoped—that our world has grown too wise to allow the childish heads of our future practical young gentlemen, and good young ladies, to be set a dreaming by such "vain imaginings." It has come to my knowledge, however, that "Kitty, katty, kine," "In the Strand," "Hoop de

doodum doo," and even "The young man from the country," who is too knowing to be "got over" by any one (a great practical lesson that!), are still trolled on rare occasions by the side of little beds, and that if the "legitimate" has disappeared from childhood's stage, a fine "burlesque" spirit still prevails. How far this may be, or may not be, an advantage to the rising generation, is a vexed question, upon which I hesitate to compromise myself.

Of course I am bound to admit, to the disparagement of my own generation, that when children were allowed to listen to legendary rhymes, chanted to quaint but pleasant tunes, and conjuring up strange visions before their half-closed eyes, they ran the danger of being carried away after an unwise and practical-spirit-thwarting fashion, into naughty regions of romance. At the same time—and I admit this fact with an increase of shame—they were never duly informed of the remote antiquity of their favourite ditties, and thus, by taking a dose of the utile along with the dulce, brought to the knowledge of such archæological lore as is doubtless possessed by well-educated little children in these better-informed times. Their "thick-coming fancies" were never even enlightened and modified by the instruction of a little antiquarianism. They never dreamed that these metrical tales, which afforded them so much delight, had been listened to, with equal rapture probably, by their ancestors, in days when opera existed not, or only in a very primitive form (Shakespeare's Tempest being probably the first drama that bore some slight resemblance to an operatic performance of the present day), and that the romances, dear to their little hearts, had been chanted to other eager listeners, young and old, centuries before they were born.

My own enlightenment upon this matter, as well as upon many other curious details connected with the ballads which formed the romances of my childhood, was, I must confess, a tardy one. It came upon me only a few years ago, upon the perusal of MR. WILLIAM CHAPPELL's work on Popular Music of the Olden Time. But, in convincing me that I was crammed in my childhood by my attendant nursery-spirit with a mass of ancient lore, of the antiquity of which I was wholly ignorant, Mr. Chappell has, at the same time, by giving the true and faithful versions of the ballads, as they first came before the world, forced upon me the unwillingly received truth, that I was then treated to variations from the original, which, slight as they were, would have shocked the ears of a Percy or a Ritson. It has been a subject of wonder to me, however, that the ditties of my childhood had, in their centuries' progress of transmission, lost so little, instead of so much, of their original form. Curious, indeed, would it be to trace, were it possible, how these old songs had been sung down by oral tradition from mother to daughter, from cradle to cradle, from pallet to tent-bed. But this is a matter of archæological research, which it would be impossible to pursue unless under



circumstances of peculiarly favouring chance. My delight was quite sufficient in having stumbled upon so many old friends of my childhood, gathered together under Mr. Chappell's fostering auspices, and treated by him, not as the "Bohemians" I might have suspected them to have been, but as respectable worthies of high and ancient lineage. It was quite beside my purpose to wander into any speculation as to the process by which they had been orally and traditionally carried down even to our days. All the fresh feelings of that fanciful old once upon a time were revived within me on greeting them again.

I confess that, many as were the years that had weighed upon me since my childhood, my heart was strangely stirred within me when, amidst the songs of Popular Music of the Olden Time, I stumbled upon Lord Thomas and Fair Ellinor. What long-slumbering emotions were reawakened within me by the words, "Lord Thomas he was a bold forester, and a chaser of the king's deer. Fair Ellinor was a fine woman, and Lord Thomas he loved her dear!" What mattered false rhyme and misplaced accent? It was the romance of my early years—the sketch which boyish imagination had filled up with such vivid colours. The tangled woods, the flying deer, the coat of Lincoln green, and the fair damsel with long hair floating down her back, were all, in an instant, again before my eyes. How many other hearts may have thrilled also since the time of Elizabeth, or much earlier still—for Ritson conjectures it may have been "originally a minstrel song"—on hearing the recital of this eventful history! "Not long since," says the same author, "a sort of dilapidated minstrel was to be seen in the streets of London, who played upon an instrument he, properly enough, called a humdrum, and chanted (among others) the old ballad of Lord Thomas and Fair Ellinor." This romance of my childhood, then, "not long since" walked the streets; and the little ragged boys of Whitechapel and Shore-ditch may have dreamed bright visions of these illustrious personages, as well as the spoiled young gentleman, whose curtained bed was then to him that paradise of song and story which an opera-box was destined afterwards to become.

Still more startled was I at the discovery that my favourite tragic-comedy of the poor frog who "would a wooing go," and was so cruelly "gobbled up" by a duck—a ballad only sung to me on special holidays, and as a farce after a tragedy—and yet was not that a most pathetic tragedy in its burlesque form?—was actually "licensed at Stationers' Hall" so long ago as the year 1580. This serio-comic ballad had been one of my greatest delights in days when I little dreamed that poor Froggy went "a wooing" to his fascinating Mouse as early as the sixteenth century, and that his lamentable history had been probably the delectation of little children, and doubtless grown-up children likewise, so very many generations ago.

The ballad, licensed to Edward White at Stationers' Hall in 1580, bore the evidently catching title of *A most strange Wedding of the Frog and the Mouse*; although most certainly in the version to which I had been so early accustomed no such happy dénouement as a wedding took place, the successful issue of the "wooing" having been tragically prevented by the fatal catastrophe alluded to above. Many ballads seem to have been written upon the same (apparently popular) subject. One begins, "There was a frog lived in a well, and a farce (fast?) mouse in a mill;" and, that tradition assigned Mousey's residence to such a locality, seems to be borne out by another composition, mentioned in Wedderburn's *Complaint of Scotland*, as early as 1549, as one of the songs sung by the shepherds of the time, and commencing, "The Frog came to the mylder" (mill-door). Amidst a variety of these imitations, Mr. Chappell begins the ballad, which he apparently offers as the most authentic, with the words, "It was a froggie in a well," and only opens the second verse with, "The froggie he would a wooing ride." But, as I find that my own identical "A frog he would a wooing go" is mentioned among the other versions, and more especially as I cannot bring my mind to accept the idea that Froggy would, by any possibility, ever have lived down in a well, which no decent frog ever does, or ever bestrode any kind of steed, I am wilfully induced to maintain the more correct authenticity of my dear old nursery song.

There is good reason to believe, it must be admitted at the same time, that there had crept into the version of my childhood a variation, which was of very questionable authenticity, and apparently of modern date, inasmuch as Mr. Chappell not only does not attempt to explain this variation, but does not condescend to notice the innovation at all. Instead of the burden "Humble-dum, mumble-dum," and "Tweedle, tweedle, twino," employed in the song of Mr. Chappell's book, I remember that the fancy of my earlier days was wont to be considerably mystified by one about "Gammon and spinage," and "Heigho said Rowley." I remember, too, how my fancy gradually became reconciled to its own explanation, that "Rowley" ("Anthony" was added in the repetition of the burden) was the name of the gallant frog, and that the "Heigho" had reference to his love-sighs. Fancy likewise endeavoured to content itself with the notion that the "spinage" had something to do with the food upon which Mousey lived. But it could make nothing out of the "gammon," except with reference to Mousey's love for bacon, and certainly refused to give the word any meaning, reflecting upon the orthodoxy of the legend. This same fancy, grown older, and more pedantic, has since sought to attach a political meaning to the song, and find an allusion to Charles the Second and his cavalier party in the well-known name of "Rowley." But in this attempt it has broken down as completely as with the "gammon."

Perhaps in no instance, during the perusal of Mr. Chappell's book, did I feel so keenly that heart-beating of "joy's recollection," which in this case *was* most decidedly "joy," as when I stumbled on "Barbara Allen." I am not quite sure that the tears did not absolutely come once again into my eyes, as they did when my boyish head hid itself with false shame against my pillow, on my once more glancing over the tragic history of Barbara's cruelty. Nor did I feel, I fancy, much less acutely than of yore, when I read the sad contrast, how "In the merry month of May, When green buds they were swellin', Young Jemmy Grove on his death-bed lay, For love of Barbara Allen." Nor was the thrill of painful excitement much less real, when cruel Barbara, having been summoned to the unhappy lover's death-bed, came "slowly, slowly" up: "And slowly she came nigh him: And all she said when there she came, Young man I think you are dying." Again were before my eyes the fields of my boyish imagination, where cruel Barbara was walking when "She heard the bell a knellin': And every stroke did seem to say, Unworthy Barbara Allen,"—again the open space (derived by imagination from a curious old plain, surrounded by quaint gabled houses, in my native city) where Barbara "Turned her body round about, And spied the corpse a comin';" and where "Lay down, lay down the corpse, she said, That I may look upon him,"—again the white curtained low panelled chamber (there was such a one in my grandfather's house) where the cruel maid, when "Her heart was struck with sorrow," cried "O mother, mother, make my bed, For I shall die to-morrow," and again the green-brocaded heavily-vallanced bed (I had seen the original somewhere) where the remorseful girl lay, and "Begged to be buried by him, And sore repented of the day, That she did e'er deny him." What tears did I not shed, as Susan chanted to me this story (to the very same tune that Mr. Chappell gives in his book), and never refused to sing it over again, and again once more, as the tears fell thicker and thicker, and sobbings became violent, and were only to be soothed by a low merry strain, that at last lulled me off to sleep. But how many other eyes had shed bitter tears over this sad ditty, I was only destined to learn long afterwards. Susan never told me, and doubtless, spite of her archæological store, was unable to inform me, that Goldsmith in one of his essays had confessed a feeling sympathetic to my own, when he said, "The music of the finest singer is dissonance to what I felt, when our old dairy-maid sang me into tears with 'Johnny Armstrong's Last Good Night,' or 'The Cruelty of Barbara Allen.'" Little did I know, then, that a black-letter copy of this very old ballad bore the title of "Barbara Allen's Cruelty, or the Young Man's Tragedy, with Barbara Allen's Lamentation for the unkindness to her Lover and herself;" nor was I in a position to remark that "sensational" titles were as much in vogue centuries ago as now, although in a far more diffuse form. Of the great anti-

quarian dispute, whether "Scarlet" town, the locality designated in the supposed authentic version, as the residence of the cruel Barbara, ought not to be read "Carlisle" town, and whether the "Reading" town of the later printed copies is not altogether an impudent and pre-tentious case of mal-appropriation, I was happily as ignorant: and even to this day, I am disposed to pass over the whole discussion as futile, having in my mind's eye my own pet town, from which my imagination indignantly refuses to remove itself.

I cannot well reckon the famous ballad-poem of "Chevy Chase," upon which so many commentaries have been written by learned antiquarians, among my archæological discoveries in Mr. Chappell's book, inasmuch as, even in my early boyhood, I seem to have had an inkling that this wonderful romance was a very *very* old story. Perhaps Susan may have had sufficient lore of her own to have bestowed upon me this little piece of information. I must confess, at the same time, that this most celebrated of all old ballads was not one of my special favourites. Spite of the gorgeous spectacular and somewhat distracting visions it never failed to conjure up before my eyes, it had probably too much of the "cut and thrust" character about it to suit a nascent temperament, more inclined to find congenial food in the simple pathos of the "domestic drama," than in the wearing turmoil of more "sensational" tragedies. Moreover, as I find that Susan's bedside version was but a truncated and mutilated torso of the grand old original form, whereas in other instances her unauthentic variations were simply confined to mere words in general, I think it better, out of respect for that genial minstrel's memory—although, by the way, she may probably be living still, a sturdy grandmother—and out of fear lest she should be cruelly mauled by antiquarian commentators, to drop the subject of "Chevy Chase" altogether, noting only my pride in knowing that my own nursery once upon a time was connected, even although imperfectly, with a once upon a time of such glorious and respected antiquity.

Far more cherished by me, as it must be by all children, was that ballad of ballads so touching to childhood's ears, "The Children in the Wood." There too I have found it, in Mr. Chappell's book, an "old old story," and yet "ever new." I could have hugged my copy to my heart. Of most respectable antiquity truly it is. Does it not appear in the registers of the Stationers' Company, under the date of 15th October, 1595, in the words "Thomas Millington entred for his copie under t' handes of bothe the wardens, a ballad intituled, The Norfolk Gentleman, his will and Testament, and howe he commytted the keeping of his children to his owne brother, who delte most wickedly with them, and howe God plagued him for it"? A most "sensational" title, it must be admitted! It has been surmised by Sharon Turner, that this most popular of all old stories was written upon the murder of his nephews by Richard the

Third, "before it was quite safe to stigmatise him more openly:" and other writers have advocated the same theory. But the arguments upon this point have evidently been advanced upon internal evidence only, and with no direct proof. My own convictions are that this was not the case. I still cling to the assurance that the subject is one of a real traditional murder, enacted in the county of Norfolk. Is not the ballad also styled, "The Norfolk Tragedy?" and as a Norfolk man, can I allow my county to be robbed of any of its cherished traditions, or its feathered tribe of any of their glories? The original tune was preserved by Susan: and it came strangely to my ears when, on my first witnessing a representation of "The Beggar's Opera," Polly Peachem appropriated the well-known air of my childhood, and even the first words of the tragical ballad, "Now ponder well, ye parents dear."

Old-fashioned nursery-maids seem to have stored their memories as much with the ancient tunes, as with the words of the old ballads. At all events, my childhood's prima donna evidently had done so; for in very few cases do I find that the melodies she chanted to particular ballads, vary in any material point from those scored in Mr. Chappell's book. One remarkable instance of her unconscious archaeological erudition in this particular I found in the tune to which she invariably sang the ballad, to which she gave the title, but not without a certain degree of shame, and always with an appearance of apology—not on account of its inaccuracy, but for other obvious reasons—of "The Devil and Doctor Faustus." The tune was certainly a most lugubrious one, as may be proved by reference to Mr. Chappell's scoring, and never one of my favourites. But Susan invariably defended its propriety, which as a child I questioned: and she was right. For have I not since learned its history from the erudite and accurate Mr. Chappell? How this melancholy tune was originally called "Fortune's my foe," and was enormously popular in the time of Elizabeth, being alluded to by Shakespeare in "The Merry Wives of Windsor," and by almost all the dramatists of the age in various plays—how it afterwards obtained the designation of the "hanging tune" (some instinct must have told me this, to account for my antipathy to it in my childhood) inasmuch as "the metrical lamentations of extraordinary criminals" were chanted to this air on their going to execution, and continued to be "for upwards of two hundred years"—and how, eventually, the universal popularity of one ballad adapted to this tune, "The Life and Death of Doctor Faustus, the Great Congurer," threatened to absorb the original title, and to give to the "hanging tune" that of "The air of Doctor Faustus." Susan was right. But she could not tell me, as Mr. Chappell afterwards did, that most of the lamentable ballads of the time were set to this tune, and among others, the old ballad of "Titus Andronicus," upon which Shakespeare founded his (contested) play of the same name. But, after all, what did the tune

much matter to me, when "The Devil and Doctor Faustus," although rarely sung to me, and not without much pressing, on account of the equivocal nature of the subject, conjured up to my childish mind scenes of an awful splendour and thrilling vividness, which "the great congerer" himself, with all his magic power, could not have outdone?

No less to my surprise did I find that one of my great favourites once upon a time, the "Blind Beggar's Daughter of Bethnal Green," was a ballad of much respectable antiquity. To be sure, I may have had some inkling of the matter, when the story was dramatised in my own day, and, although not one of the successful of Mr. Sheridan Knowles's plays, enjoyed a certain popularity. Moreover, I certainly learned from garrulous Mr. Pepys, in his Diary, that this ballad was "an old song" in his days; and he likewise had informed me that, when dining at Sir William Ryder's at "Bednall" Green, the very house was said to have been built by the "Blind Beggar so much talked of and sung in ballads," although some said "it was only some outhouse of it." But it was only later that I was convinced by official archaeological authority that "this popular old ballad was written in the reign of Elizabeth, as appears not only from the verse, where the arms of England are called the 'Queene's Arms,' but from its tune being quoted in other old pieces written in her time."

I cannot afford to dwell upon "Death and the Lady," twice mentioned by Goldsmith in *The Vicar of Wakefield*; for, although one of Susan's most cherished strains, she evidently having a predilection in favour of the lugubrious, it had never enough of the pictorial romance about it to excite my boyish imagination and thrill my heart, and was not, consequently, among my pet ditties. Nor will I lay any store by the "King and the Miller of Mansfield," about which latter quasi-historical romance there was a tinge of coarseness, unpleasant to my boyish sensibilities. I had little sympathy with the miller, and less, I believe, with the king, about whose identity I cared too little for the personage to inquire; so that I was but little moved by the information, afterwards conveyed, that, although popular error attached the personality of "bluff King Hal" to the adventure in question, authentic black-letter copies of the old ballad entitle it "King Henry the Second, and the Miller of Mansfield."

In spite of my fondness, in the old ballads of my childhood, for subjects that may be called the "romantic-domestic," I admit there was one, certainly of a not very refined description, which was constantly given me "by special desire," and was looked upon by me as an excellent "concluding farce." This was a song setting forth how "There was a bonny blade," who "married a country maid," because she was "dumb, dumb, dumb," and who, when she was cured of her infirmity by an officious doctor, was so crushed by her overflow of tongue, that he would have given "any kind of thing that

she were dumb, dumb, dumb." I certainly never expected to find this favourite "comic song" among the Popular Music of the Olden Time, in Mr. Chappell's book. There it stood, however, accompanied by a vast quantity of erudition, in the way of explanatory information. To be sure, this erudition had more reference to the tune (again Susan's "old original") than to the story of the poor gentleman so cruelly cheated of his legitimate hopes by his wife's unexpected loquacity. But it was pleasant to be informed even of circumstances attending the antiquity of the strain. This tune, it appears, was originally called, "I am the Duke of Norfolk," and was one of the greatest favourites of the Elizabethan age: and I learned that a proof of the long traditional popularity of this ballad was to be found in the fact that a curious custom still remains in parts of Suffolk to sing this song at harvest suppers, one of the company being crowned with an inverted pillow or cushion, whilst another presents him with a jug of ale, which he is bound to drink, without spilling a drop or allowing the cushion to fall—a ceremony supposed to have some allusion to the homage formerly paid to the Lords of Norfolk, who possessed immense domains in the sister county. The country people in Warwickshire, it seems, also use a cushion for a crown at their harvest-home diversions: and to this custom Falstaff is supposed to allude in Henry the Fourth, Part First, when he says: "This chair shall be my state, this dagger my sceptre, and this cushion my crown." To "serve the Duke of Norfolk" seems to have been also a common expression for making merry, as to "dine with Duke Humphrey" meant quite the reverse.

But the dabbling thus in the stream of archaeological information, connected with the old ballads of my childhood, and revealed to me by Mr. Chappell's book, would drag me

much too far; it flows in such rapid and seemingly never-ending flood. There are other ballads also belonging to my Susan's collection, and all of undoubted antiquity, which I must pass over with a sign of regret. How great was her store! But was it greater, I am induced again to ask, than that of most of the nursery-maids of that pleasant, but unpractical once upon a time? That it was far from complete, however, is proved by the fact, that one of the most famous and popular of all old English ballads, especially in the days of the gallant and turbulent spirit of 'prenticeship, "The London Prentice," telling of "his brave adventures done in Turkey, and by what means he married the king's daughter," was unfortunately not in her repertoire. Oh! had it been, what visions of kings' daughters "pearls of princely majesty," bestowing their hands on me at gorgeous altars, might not have been conjured up!

Nor will I linger longer to discuss the subject, whether it was to the advantage or disadvantage of a former generation of children to have been soothed to sleep by a nursery-maid rich in ballad-lore. But I will freely make the admission, that if it had been possible to have connected information with song, they might have learned how our old English ballads are so intimately associated with the annals of our country, its battles, its triumphs, its romantic episodes, its festal ceremonies, and its political changes, that the students of these ditties may gather from them, in a pleasant form, a very tolerable compendium of the History of England.

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